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1871

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IN THE

OF THE

BY

BY D. F. MALLORY

The Church Press

H. B. MALLORY & CO., BARTFORD, CONN.

1871

DEBATES
OF THE
HOUSE OF DEPUTIES
IN THE
GENERAL CONVENTION
OF THE
PROTESTANT EPISCOPAL CHURCH

IN THE UNITED STATES OF AMERICA,

HELD IN BALTIMORE, MD., OCTOBER, A.D. 1871,

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BY D. F. MURPHY & CO.

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NOTE.

THIS volume contains the report of the Debates in the House of Deputies as it was printed in THE CHURCHMAN, day by day. The difficulties connected with the publication were very great, and it was impossible to avoid typographical errors. It is believed, however, that all such errors will be easily corrected by attentive readers.

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DEBATES

OF THE

HOUSE OF CLERICAL AND LAY DEPUTIES

BALTIMORE, 1871.

FIRST DAY.

WEDNESDAY, October 4.

The first Wednesday in October, being the day designated by the constitution of the Protestant Episcopal Church in the United States of America for holding a General Convention, the Bishops and the Deputies-elect assembled, agreeably to the appointment of the last General Convention, in this city, in Emmanuel Church.

Morning Prayer was begun by the Rev. Wm. Stevens Perry, D.D., Secretary of the last House of Deputies.

The First Lesson was read by the Rev. Henry C. Potter, D.D., Secretary of the House of Bishops.

The Second Lesson was read by the Very Rev. J. S. Howson, D.D., Dean of Chester, England.

The Creed, and Prayers, to the Litany, were said by the Rev. Edward James Edwards, Vicar of Trentham, Diocese of Lichfield, England.

The Litany, was said by the Rev. J. H. Iles, Rector of Wolverhampton, England.

The Holy Communion, was celebrated by the Rt. Rev. Benjamin Bosworth Smith, D.D., LL.D., Bishop of Kentucky.

The service was begun by the Rt. Rev. Charles Pettit McIlvaine, D.D., D.C.L., LL.D., Bishop of Ohio.

The Epistle was read by the Rt. Rev. Samuel A. McCoskry, D.D., D.C.L., Bishop of Michigan.

The Gospel was read by the Rt. Rev. George Augustus Selwyn, D.D., D.C.L., Lord Bishop of Lichfield, England.

The Sermon was delivered by the Rt. Rev. John Johns, D.D., LL.D., Bishop of Virginia.

The Offertory Sentences were said by the Rt. Rev. Henry W. Lee, D.D., LL.D., Bishop of Iowa.

The Prayer for the Whole State of Christ's Church Militant was said by the Rt. Rev. Thomas M. Clark, D.D., LL.D., Bishop of Rhode Island.

The service was continued to the Absolution by the Rt. Rev. William Bacon Stevens, D.D., LL.D., Bishop of Pennsylvania.

After the administration of the Holy Communion, the service was concluded by the Rt. Rev. Thomas Atkinson, D.D., LL.D., Bishop of North Carolina.

RECEPTION OF FOREIGN DIGNITARIES.

On the conclusion of the services, the Rt. Rev. BENJAMIN BOSWORTH SMITH, Bishop of Kentucky, said : *Right Reverend Brethren, and members of the House of Clerical and Lay Deputies :* It has been a great gratification to us, in time past, occasionally to have a Colonial Bishop of our Mother Church in our midst at our General Convention, as we have on the present occasion ; but this is the first instance that an active bishop and some of the beneficed clergy of the Mother Church have had it in their power to break away from their multifarious engagements, and they find themselves in our midst on this solemn and interesting occasion. I am happy, therefore, in introducing to you his Lordship, the Rt. Rev. the Bishop of Lichfield, the Rt. Rev. the Bishop of Nassau, and the Very Rev. the Dean of Chester.

As the names of the Rt. Rev. and the Very Rev. gentlemen were announced, the members of the Convention rose to receive them, and remained standing for some time.

PROCEEDINGS OF THE HOUSE OF DEPUTIES.

The members of the House of Bishops having retired to the church assigned them (Grace Church),

The Rev. WILLIAM STEVENS PERRY, D.D., Secretary of the last House, called the House of Clerical and Lay Deputies to order.

Each diocese was called in alphabetical order, and the deputies elected therefrom presented their testimonials.

The SECRETARY then called the roll, and the deputies present answered to their names.

The SECRETARY (On conclusion of the roll-call). I hereby declare that the Church is represented by a majority of dioceses, agreeably to article first of the Constitution of the Church.

ELECTION OF PRESIDENT.

Rev. Dr. MEAD. I think the first business in order under the rules is the election of a President, and I now rise for the purpose of nominating the Rev. James Craik, D.D., of Kentucky, as President of this House.

Rev. Dr. BURR, of Ohio. I nominate the Rev. Dr. Haight, of New York.

Rev. Dr. HAIGHT. I must beg to withdraw my

name. It would be exceedingly inconvenient to me to serve. I positively withdraw.

The SECRETARY. The Rev. Dr. Haight positively withdraws his name. Is there any other nomination?

None being proposed,

Rev. Dr. MEAD. I move that the ballot be dispensed with.

The motion was agreed to unanimously.

The SECRETARY put the question on the nomination of the Rev. Dr. Craik as President of the House of Clerical and Lay Deputies, and it was unanimously adopted.

The SECRETARY appointed the Rev. Dr. Haight, of New York, and Mr. Otis, of Illinois, a committee to conduct the President elect to the chair.

The PRESIDENT elect on taking the chair said:

"I thank you for this renewed expression of your confidence—that you have determined to bear with my infirmities once more, and to support me in the discharge of the duties of this trying position by your encouragement and help.

"A great deal of uneasiness, of anxious fear, about the results of this Convention have been manifested. Knowing this Church so long, especially as represented in this Convention, I have entertained no such fears, and I have tried to impart my own confidence to others. If we were novices who had never felt the rocking of this grand old ship, as she rode over the waves of inappeasable discontent; if we were nervous people, easily frightened from our propriety, then there would be cause for alarm. But you are Churchmen, long tried and never found wanting. Quietly you will take up the burden which the Church requires you to bear, faithfully discharge every obligation, and fulfil every righteous expectation, for the God of our fathers will be our Guide and our strength.

ELECTION OF SECRETARY.

The Rev. Dr. MEAD. In order to perfect the organization of the House, it is necessary that we should elect a secretary, and I now nominate our present excellent secretary, the Rev. William Stevens Perry, D.D.

The PRESIDENT. The Rev. Dr. Perry is nominated as the secretary of this Convention.

The Rev. Dr. UFFORD, of Ohio. I move to dispense with the ballot.

The motion was agreed to, and Dr. Perry was elected Secretary unanimously.

PRESENCE OF FOREIGN DIGNITARIES.

The Rev. Dr. HAIGHT. I am very certain that my own feelings are the feelings of this whole House touching that most interesting event which has this day happened, the presence of a very distinguished bishop of the mother Church of England; the first bishop of the English Church proper who has ever attended a session of our General Convention; and the character of the bishop who is here, his noble character, the record which after more than a quarter century's work, he has left; his noble missionary zeal; the energy with which he administered the great missionary Diocese of New Zealand; his high renown as a scholar, a gentleman, and a Christian; his recent transfer (very unwillingly on his part, but at the instance of some of the noblest and best sons of the Church at home), to the Diocese of Lichfield,—all these have given the name of Selwyn a very high reputation; and this is the bishop, who, in the course

of God's providence, has left his home and his diocese for the express purpose of spending a few days with this Convention. Of course this House of Clerical and Lay Delegates mean to do him all proper honor, and in order to express the views that I know are the views of this House, I have drafted the following resolutions, which I beg leave now to offer as the first business before this House:

Resolved, That this House does hereby express its high gratification at the attendance of the Rt. Rev. the Lord Bishop of Lichfield, the Bishop of Nassau, and the Very Rev. Dean of Chester, at the opening services this morning of this General Convention of our Church; and that a committee be appointed to invite the bishops and the dean to attend the sittings of this body; and that they also arrange the time and manner of their first reception by this House.

Resolved, That the committee consist of the following deputies, to wit: The Rev. Drs. Leeds, Vinton, Lyman, and Elliott; and Messrs. Brune, Ives, Schoenberger, and Welsh.

Resolved (the House of Bishops concurring), That the Rt. Rev. the Bishop of Lichfield be invited to preach before the General Convention, in Emmanuel Church, this evening, and that the foregoing named committee be the Committee of Arrangements on the part of this House.

I understand the bishop is to be here but a few days, and unless we avail ourselves of the opportunity afforded by the fact that there is no business before us this evening, and invite him then to preach, we shall not enjoy the very rare treat of hearing him in the pulpit.

The Rev. Dr. MEAD. I second those resolutions with all my heart.

The Rev. Dr. LEEDS. I beg leave to remind the member from New York of the fact that the Lord Bishop of Lichfield has come attended by a large delegation from his own diocese—three rural deans and two other clergymen—and I think it would be a matter of courtesy to include them.

The Rev. Dr. HAIGHT. Then I will add the words, "and other clergy of our Mother Church of England." I was not aware that any came officially but the bishops and the dean. I will amend the resolution by inserting after "Dean of Chester," the words "and other clergy of our Mother Church of England."

The resolutions, as modified, were adopted unanimously.

Mr. WELSH. It will be absolutely necessary that this matter should be acted upon immediately, and therefore I ask that the committee have leave to wait on the Lord Bishop at once, in order that the House may be informed, before the session of to-day is over, if their request is to be granted.

The PRESIDENT. Leave is asked, and leave is granted, as a matter of course.

STANDING COMMITTEES.

Mr. Otis submitted the following resolution, which was adopted:

Resolved, That the president appoint the following Standing Committees: 1st, A Committee on the State of the Church, to consist of one member from each diocese; 2d, a Committee on the General Theological Seminary; 3d, on the Domestic and Foreign Missionary Society; 4th, on the Admission of New Dioceses; 5th, on the Consecration of Bishops; 6th, on Canons; 7th, on Expenses; 8th, on Unfinished Business; 9th, on Elections; 10th, on the Prayer

Book ; and 11th, on Christian Education, each, except the first, to consist of thirteen members.

NOTIFICATION OF ORGANIZATION.

The following message (No. 1) was received from the House of Bishops by the Rev. Dr. POTTER, its secretary :

The House of Bishops informs the House of Clerical and Lay Deputies that it has adopted the following resolution :

Resolved, That the secretary be instructed to inform the House of Clerical and Lay Deputies that this House is organized, and has elected the Rev. HENRY C. POTTER, D.D., of the Diocese of New York, as its secretary, and is ready to proceed to business.

The Rev. Dr. BERKLEY. I move that a message be sent to the House of Bishops reciprocating their resolution, and informing them that this House is organized, and ready to proceed to business.

The resolution was agreed to, and the president appointed the Rev. Dr. Berkley, of Missouri, and Mr. Ruggles, of New York, a committee to wait upon the House of Bishops and inform them of the organization of this House.

RULES OF ORDER.

The Rev. Dr. SHIPMAN submitted the following resolution which was agreed to :

Resolved, That the rules of order adopted by the House of Clerical and Lay Deputies at the last Convention be the rules of this House until otherwise provided.

The Rev. Dr. HAIGHT. I give notice that to-morrow I shall move certain amendments to the rules of order, mostly verbal, and in the matter of arrangement, with this additional rule, with a view of facilitating the business of this House, and, if possible, saving the great waste of time, which many of us remember, much to our regret, at the last convention, viz., "That all resolutions, introducing subjects for consideration and discussion, shall, after having been presented and read, unless by unanimous vote of the House, be referred to a business committee, to consist of four members of the House, of whom the secretary shall be one. The said business committee shall decide as to the order in which they shall be presented. If two or more resolutions relate to the same subject, the committee shall frame one, which will properly present the subject for consideration. The business committee shall lay before the House, at the opening of each day's session, a schedule of subjects to be discussed. Motions of reference, motions of course, and the like, not involving debate, are not within this rule. In doubtful cases, the chair must decide."

I am not disposed to make any remarks as to what I suppose will be the special workings of this rule, but will adjourn them until to-morrow.

The Rev. Dr. BEACH. I move that the rules be printed, with the proposed amendments.

The Rev. Dr. HAIGHT. With the single exception I have stated, the amendments that I shall propose are mere verbal matters, and matters of arrangement. The rules were made up at different times, and I have thrown those relating to the same subject together.

The Rev. Dr. SCHENCK. Before the motion is put I should like to ask the secretary whether the rules of order of the last convention are anywhere to be found as matters of record?

The SECRETARY. In the Journal of the Convention.

The Rev. Dr. MEAD. They are in the appendix to the Journal. I think it would be well for the Rev. gentleman from New York to withdraw his notice, because there are one or two very important rules yet to be suggested, to be laid before a committee to consider ; and I will state what they are. One is that no new business shall, after a certain period, be allowed to be introduced into this House. Another is, that whenever the House of Bishops send here a nomination of a missionary bishop, this House shall sit with closed doors, and I will give my reason for it to-morrow.

The Rev. Dr. HAIGHT. I withdraw my proposition, and will bring it in to-morrow.

Mr. RUGGLES. I ask whether the rules of order of the last Convention contain a rule that no member shall speak over ten minutes? [No. No.]

The PRESIDENT. There is no such rule.

The Rev. Dr. MEAD. That was provided for by a special resolution for the time being, not a rule.

The Rev. Dr. UFFORD submitted the following resolution, which was agreed to :

Resolved, That the rules of order be committed to a committee of three for revision.

The PRESIDENT appointed the Rev. Dr. Haight of New York, the Rev. Dr. Mead of Conn., and Judge Sheffey, of Virginia, the Committee on Rules, under the resolution just adopted.

HOOR OF MEETING.

The Rev. Dr. MEAD. I move that when this House adjourn, it adjourn to meet again to-morrow morning at ten o'clock, in this church, for Morning Prayer, and immediately afterward proceed to business.

The motion was agreed to.

PRIVILEGE OF THE FLOOR.

The Rev. Dr. BERKLEY. I offer the following resolution ;

Resolved, That the clergymen of the Protestant Episcopal Church in the United States, of the Church of England and Ireland—other, of course, than those who have received the special compliment of the House this morning—of the British Colonial Church, and of the Episcopal Church of Scotland, who may be sojourning in this city, members of the Board of Missions of the Protestant Episcopal Church, trustees, professors, and students of the General Theological Seminary, other students of theology who are candidates for Holy Orders in this Church, former members of the House of Clerical and Lay Deputies, and members of the vestries of Emmanuel and Grace Churches in this city, be admitted to the sittings of this House,

Mr. RUGGLES. The question in my mind is, whether the house will hold them.

The PRESIDENT. This is the ordinary resolution of courtesy passed at every Convention.

The resolution was agreed to.

ASSISTANT SECRETARY.

The SECRETARY announced that he had appointed the Rev. J. M. MITCHELL, D.D., of Georgia, as First Assistant Secretary.

The Rev. Dr. MEAD. I move that this appointment by the Secretary be confirmed by this House, as the rules require.

The motion was agreed to unanimously.

INVITATION TO THE BISHOP OF LICHFIELD, ETC.

The Rev. Dr. LEEDS. Mr. President, I beg

leave to inform the House that the committee appointed for that purpose have waited upon the Lord Bishop of Lichfield, and upon the Bishop of Nassau, communicating through them to the other clergy of the English Church who are here, what we had said to themselves, asking in the first place that they be received by this House at the proper time. They appointed to-morrow, at 12 o'clock, if convenient to the House, on which occasion the two bishops, together with the Very Rev. Dean of Chester, and the rural deans and other clergy, will be present and will be received by this House. His lordship thought it would be hardly doing justice to himself or to the occasion to preach before the Convention to-night, inasmuch as he would have no time to prepare; but he proposed Monday night next as a time on which he would be very happy to preach a sermon, at which the Convention should be present. This is the report of the committee, and I ask the House to act upon it.

The Rev. Dr. MEAD. I move that this House at 12 o'clock to-morrow receive the two bishops, and the clergy accompanying them; and that on Monday evening, at half-past seven o'clock, we meet in this church for Divine service, and to hear a sermon from the Lord Bishop of Lichfield.

The PRESIDENT put the question on the motion of the Rev. Dr. Mead, and it was agreed to unanimously.

A SUGGESTION.

The PRESIDENT. Permit me, gentlemen, in view of the difficulty which has already been observed by yourselves in hearing speakers on the floor, to suggest as a permanent rule—and perhaps it may not be impossible for the committee to place it in the rules of order—that every gentleman who offers a resolution shall accompany it with his name, and if he reads the resolution, or intends to address the House, that he shall come to the platform, near the chair, and speak, with his face to the House. I suggest at all events that that be done, whether it be incorporated in the rules of order or not.

On motion of the Rev. F. R. HANSON, the Convention adjourned.

SECOND DAY.

THURSDAY, October 5.

The Convention assembled in Emmanuel Church at 10 A.M.

Morning Prayer was said by the Rt. Rev. H. W. Lee, D.D., LL.D., Bishop of Iowa, assisted by the Rt. Rev. Benjamin Wistar Morris, D.D., Missionary Bishop of Oregon and Washington.

The journal of yesterday's session was read and approved.

The Rev. Dr. LEEDS, of Maryland. Will the House allow the committee who are to wait upon the Bishops, and other visitors from England, to retire now to bring them before the House?

The Rev. Dr. HAIGHT, of New York. I move that leave be granted to the committee to retire for that purpose.

The motion was agreed to.

ASSISTANT SECRETARIES.

The SECRETARY. The Secretary wishes to announce to the House that he has appointed as second assistant secretary, the Rev. Professor Mallory, of the

Diocese of Connecticut, and as third assistant secretary, the Rev. Charles L. Hutchins, of the Diocese of Western New York, which requires no action of the House.

STANDING COMMITTEES.

The PRESIDENT. The President has, during last night and this morning, prepared the list of standing committees, which will now be announced.

The Secretary read the list of standing committees, as follows:

Committee on the State of the Church.

The Revs. Edwin M. Van Deusen, D.D., of the Diocese of Central New York; Francis R. Hanson, Alabama; J. Ireland Tucker, D.D., Albany; Thomas W. Brotherton, California; T. Gardner Littell, Delaware; John Crosdale, Easton; J. Jackson Scott, D.D., Florida; F. Windsor Brathwaite, Connecticut; Wm. H. Clarke, Georgia; Samuel Chase, D.D., Illinois; Benjamin Franklin, D.D., Indiana; Charles H. Seymour, Iowa; John N. Lee, Kansas; Edmund T. Perkins, D.D., Kentucky; Samuel M. Haskins, D.D., Long Island; William F. Adams, Louisiana; Christopher S. Leffingwell, Maine; Orlando Hutton, D.D., Maryland; Samuel B. Babcock, D.D., Massachusetts; George D. Gillespie, D.D., Michigan; Edward R. Welles, D.D., Minnesota; William C. Crane, D.D., Mississippi; Edward F. Berkley, D.D., Missouri; John G. Gasmann, Nebraska; James H. Eames, D.D., New Hampshire; Richard M. Abercrombie, D.D., New Jersey; Alfred B. Beach, D.D., New York; Joseph B. Cheshire, D.D., North Carolina; Erastus Burr, D.D., Ohio; George E. Hare, D.D., Pennsylvania; John Scarborough, Pittsburgh; Storrs O. Seymour, Rhode Island; Peter J. Shand, D.D., South Carolina; John T. Wheat, D.D., Tennessee; Benjamin A. Rogers, Texas; Roger S. Howard, D.D., Vermont; Charles W. Andrews, D.D., Virginia; Oran R. Howard, D.D., Western New York, and Hiram W. Beers, D.D., Wisconsin.

Committee on the General Theological Seminary.

The Revs. William Shelton, D.D., of the Diocese of New York; Albert H. Bailey, D.D., Vermont; William D. Wilson, D.D., Central New York; Meyer Lewin, D.D., Maryland; Philander K. Cady, D.D., New York; William G. Farrington, New Jersey, and William R. Huntington, Mass.; Messrs. Henry E. Pierrepont, of the Diocese of Long Island; John W. Stevenson, Kentucky; George L. Harrison, Pennsylvania; Charles A. Tufts, New Hampshire; Henry A. Hayden, Michigan, and George C. McWhorter, Central New York.

Committee on the Domestic and Foreign Missionary Society.

The Rev. Drs. George Leeds, of the Diocese of Maryland; Samuel B. Babcock, Massachusetts; Henry Waterman, Rhode Island; Clinton Locke, Illinois; Charles Cotesworth Pinckney, South Carolina; Theodore B. Lyman, California, and John H. Elliott, Ohio; and Messrs. William Welsh, Pennsylvania; William Cornwall, Kentucky; John H. Shoenberger, Pittsburgh; Henry P. Baldwin, Michigan; Benjamin Stark, Connecticut, and John A. King, Long Island.

Committee on the Admission of New Dioceses.

The Revs. Thomas C. Pitkin, D.D., of the Diocese of Michigan; J. Stuart Hanckel, Virginia; Charles H. Hall, D.D., Long Island; Cleland K. Nelson, D.D., Maryland; Sterling Y. McMasters, D.D., LL.D., Minnesota; W. T. D. Dalzell, D.D., Louisiana, and George B. Eastman, New York; and Messrs. Samuel B. Ruggles, LL.D., New York; Henry Meigs, New Jersey; Louis N. Whittle, Georgia; Enoch R. Mudge, Massachusetts; Charles C. Trowbridge, Michigan, and S. Corning Judd, Illinois.

Committee on the Consecration of Bishops.

The Revs. Samuel Cooke, D.D., of the Diocese of New York; Noah H. Schenck, D.D., Long Island; Montgomery Schuyler, D.D., Missouri; J. A. Massey, D.D., Alabama; David Pise, D.D., Indiana; Erastus F. Dashiell, Easton; and D. Hillhouse Buel, Albany; and Messrs. Wm. G. Harrison, of the Diocese of Maryland; Lemuel Coffin, Pennsylvania; J. J. Pringle Smith, South Carolina; Samuel B. Churchill, Kentucky; Cambridge Livingston, New York, and James Forsyth, Albany.

Committee on Canons.

The Rev. Drs. William Cooper Mead, of the Diocese of Connecticut; Benjamin I. Haight, of New York; Alfred A. Watson, of North Carolina; M. A. DeWolfe Howe, of Pennsylvania; Benjamin H. Paddock, of Long Island; Alexander H. Vinton, of Massachusetts; and Samuel Benedict, Georgia; and Messrs. Hamilton Fish, LL.D., of New York; Lucius B. Otis, of Illinois; Francis B. Fogg, of Tennessee; Hugh W. Sheffey, of Virginia; Hill Burgwin, of Pittsburgh, William H. Battle, LL.D., of North Carolina.

Committee on Unfinished Business.

The Rev. Drs. William Payne, of the Diocese of Albany; Charles B. Dana, of the Diocese of Mississippi; John M. Mitchell, of the Diocese of Georgia; the Revs. Owen P. Thackara, of the Diocese of Florida; Theodore P. Barber, of the Diocese of Easton; John T. Magrath, of the Diocese of Michigan, and N. W. Taylor Root, of the Diocese of Maine; and Messrs. Claudius B. Farnsworth, of the Diocese of Rhode Island; Laurens C. Woodruff, of the Diocese of Western New York; Elijah M. Bartholow, of the Diocese of Kansas; William P. Wheeler, of the Diocese of New Hampshire; Isaac Atwater, of the Diocese of Minnesota, and John C. Hollister, of the Diocese of Connecticut.

Committee on Elections.

The Rev. Jacob S. Shipman, of the Diocese of Kentucky; the Rev. Drs. Wm. C. Williams, Georgia; Thomas Richey, Minnesota, and John M. Bannister, Alabama; the Revs. William H. Platt, Kentucky; Israel L. Townsend, Illinois, and W. T. D. Dalzell, D.D., Louisiana; and Messrs. Robert H. Ives, Rhode Island; P. Redfield, Vermont; William T. Read, Delaware; R. C. Mackall, M.D., Easton; John A. King, Long Island, and John T. Douglass, Missouri.

Committee on the Prayer Book.

The Rev. Drs. Richard S. Mason, of the Diocese of North Carolina; E. Edwards Beardsley, Connecticut; William Adams, Wisconsin; Horace

Stringfellow, Alabama, and Isaac G. Hubbard, New Hampshire; the Revs. John H. Egar, Pittsburgh, and George H. Norton, Virginia; and Messrs. Orlando Meads, LL.D., of the Diocese of Albany; Jeremiah C. Garthwaite, New Jersey; George E. B. Jackson, Maine; B. Johnson Barbour, Virginia; Origen S. Seymour, LL.D., Connecticut, and Valentine B. Horton, Ohio.

Committee on Christian Education.

The Rev. Drs. Abner Jackson, of the Diocese of Connecticut; James DeKoven, Wisconsin; Alexander Burgess, Massachusetts; Henry A. Coit, New Hampshire; Charles Minnegerode, Virginia, and Daniel R. Goodwin, Pennsylvania, and the Rev. John N. Gallaher, Louisiana; and Messrs. John W. Andrews, Ohio; George R. Fairbanks, Tennessee; George F. Comstock, Central New York; Charles J. Jenkins, Georgia; John B. Howe, Indiana, and Thomas A. Johnson, LL.D., Western New York.

Committee on Expenses.

The Revs. William Croes Crane, D.D., of the Diocese of Mississippi; Theodore Babcock, D.D., Central New York; William H. Van Antwerp, Indiana; D. B. Knickerbacker, Minnesota; A. Augustus Marple, Pennsylvania; Daniel Henshaw, Rhode Island, and John Ufford, D.D., Ohio; and Messrs. Samuel H. Huntington, Connecticut; Nathan Matthews, Massachusetts; William A. Davies, New York; Bernard Carter, Maryland; John W. Hunter, Long Island, and George W. Cass, Pittsburgh.

PRINTING OF LISTS.

The Rev. Dr. BERKLEY, of Missouri. I beg to offer the following resolution:

Resolved, That the Secretary be instructed to have 500 copies of the list of members, with the standing committees, and the rules of order of this House, printed for the use of the members.

The Rev. Dr. MEAD, of Connecticut. I suggest that that motion be withdrawn, inasmuch as the rules of order have been committed to a committee, which committee will not be prepared to report until to-morrow morning. After that, when the House have decided whether they will have any amendment or not, will be the time to print the rules of order. I would, therefore, suggest to the gentleman to withdraw that motion until that time.

The Rev. Dr. BERKLEY, of Missouri. I withdraw the motion.

The Rev. Dr. HOWE, of Pennsylvania. I ask the gentleman whether he intends to withdraw the whole of his resolution touching the list of members and the list of the standing committees, as well as the part of it which referred to the rules of order?

The Rev. Dr. BERKLEY, of Missouri. By no means.

The Rev. Dr. HOWE, of Pennsylvania. They are not printed on the same paper, and there seems no reason why we should not have our list of members at the earliest possible hour. I hope the gentleman will not withdraw so much of his motion as concerns the lists of members and of the standing committees.

The Rev. Dr. BERKLEY, of Missouri. I received the suggestion of the reverend delegate from Connecticut as a matter of convenience to the House, intending, of course, to insist on the printing of the list of

members of the standing committees, which it is very important for every member of the House to have.

The Rev. Dr. MEAD, of Connecticut. My suggestion was simply in regard to the printing of the rules of order, which are yet in suspense.

The PRESIDENT. The resolution will be modified, by omitting the provision for printing the rules of order. The question will be on the resolution as modified.

The resolution, as modified, was agreed to.

PRINTING OF SERMON.

The Rev. Dr. LEWIN, of Maryland. I offer a resolution in the same words as one adopted in the last Convention, except as to the name of the preacher:

Resolved, That the Secretary be directed to request a copy of the sermon preached by the Right Rev. John Johns, D.D., LL.D., at the opening of this Convention, and that fifteen hundred copies of the same be printed for the use of the Convention.

The Rev. Dr. MEAD, of Connecticut. I second that motion.

The resolution was agreed to unanimously.

HOURS OF SESSION.

An informal conversation took place as to the hours of daily session, and after a brief interchange of views, it was

Ordered, That the daily hours of session be from 10 o'clock, A.M., to 3 o'clock, P.M.

EFFECT OF DIVIDED VOTES.

Mr. JUDD, of Illinois. There is one matter of some importance to come before the Committee on Rules. I understand it to be the custom of this House that when a vote is taken by dioceses and orders, where the vote of a diocese is divided, that vote is counted in the negative. I would inquire if I am correct in this understanding. That has been the custom heretofore.

The Rev. Dr. MEAD, of Connecticut. In that case the vote is lost; it may be a negative loss.

Mr. JUDD, of Illinois. I am assured by the learned Deputy from Connecticut that that is the case. I, for one, do not think it a correct principle. I think we should make the voice of the Church as nearly and as wholly representative in this country as is possible; and hence I have a resolution which I will read for the information of the House, and then I will move to refer it to the Committee on Rules:

Resolved, That the following be, and is hereby added, as rule 21 of this House:

"When a vote is taken by dioceses and orders, each diocese whose vote is divided shall be counted as a half vote on each side of the pending question."

The motive of this is palpable, and I desire to explain it in one single remark. In order to call attention to the manifest injustice of the rule as it has hitherto prevailed, suppose, as an illustration, there are thirty-nine dioceses voting. Nineteen of these vote in the affirmative; twenty of those dioceses are divided. The result is that the representative voice of the Church has twenty-nine votes out of the thirty-nine, and yet the given proposition is lost.

I submit, Mr. President and gentlemen of the Convention, that this is unjust; that it does not

get at the representative voice of the Church in this country.

I submit, further, that this is a rule which operates in various bodies, that when there is a division, that division be cast on each side of the pending question, so that if there be twenty dioceses divided, and nineteen voting in the affirmative, the result would be, under this rule, to give ten more votes in the affirmative and ten more in the negative, and therefore the vote would be twenty-nine in the affirmative and ten in the negative.

I move you to refer this resolution, and the matter under consideration, to the Committee on Rules of Order.

Mr. RUGGLES, of New York. I suggest to the gentleman who has offered that resolution, that this will require an amendment to the Constitution, and this cannot be done by the Committee on Rules. The Constitution is perfectly plain on the subject, that whenever a division shall be called, each order shall have one vote. There is nothing in the Constitution that permits that one vote to be divided in halves. I suggest that it should not be sent to the Committee on Rules, but rather to the Committee on Canons, as presenting a very grave Constitutional question. I am opposed to the proposition, and I would suggest that they consider whether there is not an error in the reading of the Constitution, as has been repeatedly alleged by learned canonists:

"When required by the Clerical and Lay Representatives from any diocese."

It is asserted that that is a misprint, and that it meant:

"Clerical or Lay Representatives."

This has been earnestly alleged in some of our dioceses.

The PRESIDENT. Does the gentleman offer that proposition as an amendment?

Mr. RUGGLES, of New York. I could hope my friend might postpone his proposition for a moment, and more gravely consider his motion and put it in a proper form; but if he must press it now, I ask that my amendment be added, and that the question be referred to the Committee on Canons, and not to the Committee on Rules.

RECEPTION OF THE FOREIGN VISITORS.

At this point, the committee appointed to wait on the distinguished visitors from abroad appeared in the body of the church with them, viz: the Rt. Rev. George Augustus Selwyn, D.D., D.C.L., Lord Bishop of Lichfield, England; the Very Rev. J. S. Howson, D.D., Dean of Chester, England; the Rev. Edward J. Edwards, M.A., Vicar of Trentham and Rural Dean, diocese of Lichfield; the Rev. J. H. Iles, M.A., Incumbent of St. Peters, Wolverhampton; Rev. Mr. Bangham, the Rev. Mr. Willett and Rev. Mr. Selwyn, of the diocese of Lichfield.

The committee escorted these gentlemen to the chancel, where they were received by the President, and conducted to the platform.

The Rev. Dr. LEEDS, of Maryland. Mr. President: We have the honor to present to you the sons of our Mother Church of England who have come by invitation of this Convention, and whom this Convention delights to honor. We introduce to you the Rt. Rev. the Lord Bishop of Lichfield; the Rt. Rev. the Bishop of Nassau; the Very

Rev.^d the Dean of Chester, together with three of the Rural Deans of the diocese of Lichfield; the Rev. Mr. Edwards, Vicar of Trentham; the Rev. Mr. Bangham, Vicar of Christ Church, Lichfield; the Rev. Mr. Iles, Rector of St. Peter's, Wolverhampton, and also two other of the clergy of the same diocese; the Rev. Mr. Willetts, Vicar of West Berwick, and the Rev. Mr. Selwyn, Vicar of St. Peter's, Wolverhampton.

The PRESIDENT. We are receiving most worthy guests, gentlemen, from our old mother Church and the colonial Church—distinguished not only by their rank but more distinguished by the services which won that rank.

It is not a very long time since all Christendom was startled by the news that in this practical age, the triumphs of the Apostolic age, had been revived, and that a nation was born in a day. A young man, high in social position, had gone from his native country, imitating his Divine Master, to preach the Gospel of reconciliation to the fiercest and yet the noblest savages remaining in heathendom, and in a little while that country was Christian—a diocese—and in yet a little while more, that single diocese had expanded into a large, wide-spread province with its Metropolitan and its Com-provincial Bishops, and a devoted band of clergy.

And then, again, a few years more of hard colonial work, the same man is called by the same Divine Providence back to the mother country to inspire, to guide, to help forward the new teeming life of the grand old Church at home. I have the honor, the inestimable pleasure, therefore, of introducing to you, first, the Lord Bishop of Lichfield, the apostle of New Zealand, the illustrious Selwyn.

The Lord Bishop of LICHFIELD. My very dear friends and brethren, both of the clergy and of the laity: It may be wrong, perhaps, to begin by setting your President right, but he will pardon me if I say that he has imposed on me the necessity of doing so, because he has ascribed to me that which humanly belongs rather to those who preceded me in the ministry of the Church in New Zealand—names honored in the missionary annals—the two brothers, Williams, one of them now Bishop of Waipau, who, I believe, for very nearly half a century has been ministering, and is still ministering, in the native Church of New Zealand, and has been now for about twelve years consecrated as a Bishop of that Church. It was he who, under the guidance of the Divine blessing, with the help of the Holy Spirit, and his brother, Henry Williams, presbyter of the Church, who were among the most foremost of those who laid the foundation of the Mission Church in New Zealand. I simply came to reap what by God's grace they had sown; and when I came into the islands of New Zealand and made my first missionary journey and visitation throughout the islands, wherever I went, at every night's resting place, I found a congregation of native Christians ready to join with me in prayer and in the reading of God's Holy Word. Morning and evening, in every one of those villages, and every day of the week on my first visitation throughout the northern island of New Zealand, I had the privilege of meeting parties of native Christians, ready to receive me and to join with me in acts of worship. When I tell you that in the first three years of my episcopate in New Zealand I confirmed seven thousand of those native Christians who had been baptized by the mission-

aries who were before me in the field, you will, I think, agree with me that, however painful the necessity may be, I am bound, in justice to those who were before me in the field, to disavow a great part, if not the whole of those gratulatory sentences which your President, in the kindness of his heart, thought proper to address to me.

We shall of course agree in giving the whole glory to God. Whenever anything tempts us to think of ourselves as in any degree agents, we must remember that we are His agents, that by Him we live, and move, and have our being. And when any praises come to our minds, the effectual antidote (to apply to them a word certainly not used in that sense in the first instance, but still ever to be remembered), is to "give God praise, we know that this man is a sinner."

Now, dear friends, we have come together to-day with a large deputation, as I trust we may consider it, certainly a very hearty one, from the Mother Church and country, we have come to witness this great assemblage. We joined with you yesterday in the solemn services. We saw hundreds of communicants coming to the Lord's table. We heard words which should bind us all together in one heart and in one soul, from the one simple principle, so clearly pointed out to us by that reverend pastor who addressed us yesterday, that the *love of Christ constraineth* us. It is that which binds us together. It is the charity, which is the bond of perfectness. It was that which made the Apostolic Church to be of one heart and of one soul; and it is that which will enable us to keep the unity of the Spirit in the bond of peace, ever remembering that there is but one body and one Spirit, and even as we are called in one hope of our calling one Lord, one faith, one baptism, one God and Father of us all, who is above all, through all, and in you all.

This will be the spirit, my dear brethren, which will animate you in all your deliberations. This is the spirit which will prevent you from ever pressing any point of difference to such an extent as to rend asunder that Church which is the spouse and body of Christ.

But as I shall have to speak to you, please God, on Monday evening, more at length, and with more careful preparation, and as I have brethren here, the Dean of Chester and many of my own clergy, whose privilege and happiness it will be to address to you on this occasion a few words of Christian sympathy and encouragement, I must not trespass upon their field. I must leave this entirely or mainly to them, trusting, if God will, to pour out more of my own heart, in this same house of God, before the General Convention of this Church assembled here on Monday evening, when I hope we may all meet together prepared to seek in earnest prayer for that Spirit of counsel which may bind together all the branches of our Anglican Church in one holy union, and make our Church a praise upon earth.

["Amen," from all parts of the house.]

The PRESIDENT. I have the honor now to introduce to you, gentlemen, the Bishop of Nassau, upon our own southern border, laboring faithfully to plant the Gospel in the islands of the ocean:

The BISHOP OF NASSAU. *My Reverend Brethren, and Brethren of the Laity:* I could have hoped, having had the double honor of being presented to you in company with the Bishop of Lichfield, to escape the necessity of making a speech, for I am sorry to say it is not in my line. I am very sensible, gentlemen, of your great kindness in welcoming me to-day to your Convention. There

are many very strong ties which bind me to the Church in this country. There is, first of all, as the President has alluded to it, the geographical connection. My islands lie but a very few miles off from your Southern shore, merely separated from the diocese of the Bishop of Florida by the Gulf Stream, and that is a line of separation which those who have passed it well know is no very chilling line. And I rejoice very much in this nearness to this country, because it gives me the pleasure of welcoming every year during our winter, many Churchmen, both lay and clerical, whom we are so glad to see, both ministering and worshipping at our altars; and to this nearness I owe the help of several clergymen from this country, who have taken parishes in my diocese, and worked there most strenuously. I believe there are two present to-day in this Convention

Then there is also another connection which I may call an hereditary one. My great grandfather was one of the consecrating Bishops of your Bishop White, through whom, I believe, as well as through Bishop Seabury, your succession comes.

Then there is the more personal connection, that formed by many friendships made in this country both as Priest and Bishop, in very many acts of undeserved kindness and sympathy, which I have received from members of the American Church.

Then there is of course, above all, that oneness in our common Lord which makes every English Churchman, when he comes to this country, feel that he is no stranger and foreigner, but a fellow-citizen, with the saints and of the household of God. (Applause).

I thank you, gentlemen, very much for the kind welcome I have received to-day.

The PRESIDENT. I have the pleasure of introducing to you the Very Rev. the Dean of Chester, well known in the Church, and better known in thousands of Church households in this country as Dean Howson, the author of the "Life and Epistles of St. Paul," a work everywhere read and loved.

The DEAN OF CHESTER. *My Dear Friends of the Clergy and Laity:* for the reception with which I have met since my arrival in America, both in New York and here, leads me to be sure that I am not transgressing the bounds of decorum and truth when I take it for granted that you would wish me to address you in such familiar language. I cannot possibly speak to the members of this Convention as if they were strangers. I feel it to be a great blessing and advantage to me to have this opportunity of realizing a wish which I have for many years indulged. I have long hoped that I might be present at such a Convention; and now that hope is fulfilled.

There are several reasons why I have indulged this desire. Perhaps one reason is this: that for many years I resided in Liverpool. I need not more than allude to the name of Liverpool to make it quite clear that the wish to be here among the Churchmen of America was very natural to me. It is a great pleasure to me to find that there are in this city, two at least,—one a clergyman, another a layman,—with whose education I had, in Liverpool, something to do.

I have been very anxious to have the benefit of being present at such a Convention as this. In Chester, one's thoughts and feelings are frequently directed with great warmth toward the sister Church in America. It is not merely that I have the pleasure of continually meeting there both your laymen and clergymen who visit our shores, but there is a very close connection of a very peculiar kind, between our

Cathedral and this Church, and between our Cathedral and this diocese, which is not paralleled in the case of any other of our ancient Cathedrals in England. There are few books, I believe, of English theology better known to the bishops and clergy and theological students in America than the Exposition of the Creed by Bishop Pearson. A few years before your great war began, 200 years had elapsed since that Bishop's work was published. I am ashamed to say that at that time there existed no memorial of Bishop Pearson in Chester Cathedral; his very place of interment was not known; and I think it is creditable to the American Church that a friendly reproach came to the authorities of that Cathedral, from this side of the Atlantic. That reproach produced its legitimate effect. An effort was made to erect a memorial to that Bishop. The story of the discovery of his place of interment is very interesting, though too long to recount here. In the end, it has come to pass that a monument of great beauty (designed by a son of one of our most eminent Bishops, Bishop Blomfield, once Bishop of Chester), stands conspicuous and beautiful, and seen by every American traveler.

But not only do we owe the first suggestion of that monument to the expression of feeling which come from this side of the Atlantic, but contributions also came toward that work from the hands of the Bishop of this very diocese, in which I have the great honor and pleasure of being present at this triennial Convention. I believe you will not consider me out of place if I read one minute from the book kept by the Secretary of that memorial. On the 24th of June, 1859, words to this effect were entered in the minute book:

"That the Bishop Pearson Memorial Committee desire to express their most grateful acknowledgments to the Rt. Rev. the Bishop of Maryland, with the clergy of his diocese, for the deep interest they have taken in promoting this object, and for the liberal subscription forwarded through the hands of Canon Slade."

Again I find under the head of December 17, 1860, a record of personal sympathy and kindness and liberality, expressed by Bishop Whittingham himself, in reference to this object.

And once more I must ask your attention to a coincidence singularly interesting at this moment. The Secretary wishes me to make it known in Maryland, that the subscribers to this monument include forty Archbishops and Bishops besides Bishop Whittingham, and that the Colonial Church was represented in reference to that work by him who was at that time its senior metropolitan, the Bishop of New Zealand. It is very delightful that it should so happen that the Bishop of New Zealand, now the Bishop of Lichfield, should be here present to receive from the Dean of Chester, the grateful acknowledgments of that Cathedral Body to this Diocese of Maryland.

I must express my grateful acknowledgments to the President for his friendly and cordial allusion to certain efforts of mine in connection with a college friend, now in his grave, to elucidate the character and life of the Great Apostle of the Gentiles. It is a very great blessing to any man, and I do not think it is likely to make him vain, far more likely to make him humble and thankful, to feel that he has been enabled by God to write something for those who speak the English tongue, which is really useful, and which is likely to do no harm.

I could not help thinking of the Apostle Paul during the concluding words of that most effective, most serious sermon, which we had the advantage of listening to from the Bishop who was the preacher yesterday. I felt that he had concentrated in that sermon the main spirit of St. Paul's life and character; and it seemed to me, as he spoke (evidently showing the traces of long experience and hard work), that there was a persuasiveness in his language and his manner of speaking, which was extremely like what must have been witnessed and heard by those who listened to the great Apostle, and I felt deeply thankful that, while one great characteristic of your meeting, as impressed upon my mind, was that you possess a splendid organization; still there is one thing that you care for more than organization; and that is, the spiritual religion of each individual soul in communion with our living and personal Saviour. May God grant to you that, while your organization becomes stronger, you may never rest in that organization, but still hold close to that great principle of living faith in Christ, which is the salvation not only of each soul, but of every faithful Church. ["Amen."] May I just express to you in one word what the one impression was on my mind, at the close of that sermon, and then I will ask the permission of the President to read the address which has been entrusted to me by the clergy of the Cathedral body, to which I have the honor to belong, and which I have first been permitted to read in the House of Bishops.

The impression at the close of that sermon, on my mind, was simply this: that I never before had fully understood the depth and the breadth of those words which we are constantly using in our public worship, very often without recollecting what they mean: "I believe in the Holy Catholic Church; I believe in the communion of saints."

Will you permit me, sir, to read the address with which I have been officially entrusted by my colleagues in our ancient Cathedral of Chester? It is in words addressed to myself, but, in truth, it is addressed to this Convention:

*"To the Very Reverend John Saul Howson, D.D.,
Dean of Chester:*

"We, the undersigned, the Vice Dean, Canons, Honorary Canons, and Minor Canons of the Cathedral Church of Christ in the city and diocese of Chester, having been made aware of your purpose to attend, by special invitation, the General Convention of the Protestant Episcopal Church in the United States of America, to be held at Baltimore, in October next, desire to express our cordial approval of the object of your visit, and send by you the expression of our hearty sympathy with the clergy and other members of that Church.

"The interest which has been commonly expressed by such of them as have visited England, in our venerable church, which first meets their view on their arrival, has served to strengthen in our mind the interest which we reciprocally feel in the institutions and operations of that sister Church. And we pray that it may please our Divine Head to prosper her more and more in the great work she is doing for Him, 'to establish, strengthen, settle,' all the institutions by which that work may be perfected; and, at the same time, so unite us together in community of interest and love that we may be 'one in Him and He in us.'

Signed this sixteenth day of September, 1871.

G. B. BLOMFIELD,
Vice Dean and Rector of Steenage, Herts.
T. EATON,
Canon and Rector of West Kirby, Cheshire.
TEMPLE HILLYARD,
Canon and Rector of Southam.
CHARLES KINGSLEY,
Canon and Rector of Eversley, Chaplain in
ordinary to the Queen.
F. J. HOPWOOD,
Honorary Canon; Rector of Werwick.
ROBERT HENRY GRAY, M.A.,
of Christ Ch., Oxford.
ANDREW KNOX, B.A.,
Vicar of Birkenhead and Honorary Canon
of Chester.
G. W. WARR, M.A.,
Vicar of Childwald, Honorary Canon of
Chester.
JOHN BARCLAY, M.A.,
Honorary Canon.
A. F. CHATER,
Honorary Canon.
THOMAS E. ESPIN,
Honorary Canon.
W. M. FALLOW, M.A.,
Honorary Canon of Chester.
C. M. TURNER,
Honorary Canon.
EDWARD CLAYTON,
Honorary Canon.
EDWARD L. G. DEACLE,
Precentor and Sacrist.
WM. HARRISON,
Minor Canon.
WILLIAM GRUNDROD,
Minor Canon.
FREDERICK BARKER,
Minor Canon.
FOSTER GREY BLACKBURNE,
Deacon of the Cathedral."

The PRESIDENT. I am happy to receive this, and now present the Rev. Mr. Edwards.

The Rev. EDWARD JAMES EDWARDS. I claim your indulgence to read this short address, which has been put into my hands by the Lord Bishop of Lichfield, from the Dean of Lichfield, the three archdeacons of the Diocese, and two hundred and eleven of the clergy:

"LICHFIELD, July 28, 1871.

"We, the Dean, the undersigned archdeacons, prebendaries, and other clergy of the Diocese of Lichfield, having heard with thankfulness of the purpose of our dear and honored Father in God, George Augustus, Bishop of Lichfield, to visit the General Convention of the Protestant Episcopal Church in the United States of America, to be held at Baltimore, October 4, 1871, desire to send by him the expression of our sympathy and heartfelt wishes for loving communion in Christ, earnestly praying that God's Spirit may continue to be poured forth in larger and larger measure on our brethren in America, that they, with us, through the mercy of our Redeemer, being gathered into

the true fold, may be made one flock under the Good Shepherd, now and forever."

My Reverend Brethren and Laity of this Convention: It is but twelve days ago since I left my own small country parish in the heart of England, to join the Bishop of my Diocese and other clergy in this deeply interesting visit to your Convention. I am sure you will understand me when I say that the transition is so violent (I can use no lesser word) from the ordinary routine of a country parish in England, where Christianity has been known for not less than eight hundred years, to a Convention like this, representing the Church in her youth, that I feel utterly unable to give any expression whatever to the thoughts, and with still greater difficulty to the feelings, which throng heart and mind on such an occasion. I will venture to say this, in the presence of all parents, that I think we learn in domestic life, that as fathers, we glean from our children truths no less important than our children glean from us; and I most respectfully wish so far to apply this expression as to say that I feel myself here a learner, and, I trust, an observant learner, in all that is passing in the Convention, with the hope that in some way it may contribute to the strengthening of our own Diocesan Conference in the Diocese of Lichfield.

I will say no more, but thank you most deeply, first for the invitation, conveyed to us presbyters through our Bishop, for your welcome to us this day, and at the same time I must thank my own Bishop most earnestly for allowing me to be one of the clergy that accompanied his Lordship; but above all, and infinitely above all, I devoutly thank Almighty God that He has graciously vouchsafed to me an opportunity of seeing and hearing so much that deepens one's impressions of His own Eternal Word of Truth. [Applause].

The PRESIDENT then introduced the Rev. Dr. Bangham.

The Rev. Dr. BANGHAM. I will not venture to occupy your attention more than a few moments in expressing the very sincere joy which I experience in being present at this your Triennial Convention. The kind reception we have received here is, to my mind, a proof that there is a real and living union between the hearts of Churchmen and Churchwomen, which over 3,000 miles of intervening ocean can neither dissolve nor weaken. As unity in any particular Church is both a sign and a cause of its stability, so union between Church and Church must necessarily be instrumental in carrying out the great work of our common Redeemer, for the Master has told us that by it the world shall know that He hath sent us.

If I had any power of guiding the politics of England, I think that it would be exerted toward disentangling it from all European alliances, as far as duty may allow, and uniting it firmly and heartily—as mother and daughter should be united—with America, and Canada, and New Zealand, and Australia, its powerful children, which shall hereafter, as I think, rule the destinies of the world. [Manifestations of applause.] But much more would I be earnestly desirous, as an English Churchman, to unite the hearts of those people together, Church with Church, who speak the same language, for the most part receive the same creeds, and worship by means of the same ancient formulas as ourselves.

The kind reception which we have received here

will make us most desirous to receive our American friends on the other side of the water, and I hope that we shall not be disappointed. I should very much desire, when any American bishop sets his foot upon our shores, or any bearing Episcopal letters of commendation, that there should be some record kept of his arrival and of his probable course through that country, so that he might be received by those among us who are desirous to receive such, and be shown such hospitality as may be acceptable to him. I hope that such a course may be brought about before very long.

I have great pleasure in thanking you earnestly for your kindness.

The PRESIDENT. I now introduce to the Convention the Rev. Mr. Iles, also of our mother Church.

The Rev. Mr. ILES. *Brethren of the Clergy and Laity:* I speak to you as a stranger, and yet I can scarcely look upon you as strangers to myself, because I seem to know you through so many of your Bishops. It was my good fortune to have a Church in Wolverhampton, the town where the Church Congress assembled in 1867, after the meeting of the Pan-Anglican Conference. At that Church Congress many of your Bishops were present. I had to provide for their entertainment, and to welcome them on their arrival; and, therefore, I formed many sincere and hearty friendships; and let me say this, that very much of the success of that Church Congress at Wolverhampton in 1867 was due to the kindness of your Bishops. Your Bishops preached sermons to crowded congregations. They spoke thrilling words to a large meeting of upward of 2,000 of our workingmen. In every way they cheered us. In every way they expressed their sympathy, and also spoke to us words of wisdom.

And now, my only title to being here is, I think, the title of hard work at home—hard work in a country which is the greatest contrast to your bright, shining town here—the black country of South Staffordshire. But yet one would feel ashamed to speak of one's work at home when in the presence of a body of men, many of whom have come hundreds of miles for the sake of Christ and Christ's Church in America. We congratulate you on your work. If we are busy at home, we feel that you are more so here, and perhaps with greater difficulties to encounter than we have.

Let me add this: My predecessor just now has said that he would gladly welcome you, and he spoke especially of the Bishops. I have welcomed your Bishops. May God put it into the hearts of others here present to come as well, and let me say that whatever welcome England may give them, there will be no heartier welcome than that which they will receive from the presbyters and others in the diocese of Lichfield. [Applause].

The PRESIDENT next introduced the Rev. Mr. WILLETT.

The Rev. Mr. WILLETT. *My reverend brethren of the clergy; my dear brethren of the laity of the American Church:* There is not and there cannot be any difficulty in one citizen of that great and glorious Republic, which knows no territorial bounds in earth or heaven, Christ's Holy Catholic Church, addressing another, and I feel, I can assure you, inspired by that feeling of our common citizenship, a great help

in addressing you on this occasion ; and yet I have, as those who have addressed you before, a personal tie in this meeting ; for not a month passes by but some one or more of my spiritual children apply to me for my blessing before they leave their native parish for your shores on this side of the Atlantic.

I, like Mr. Iles, who spoke to you before, am a minister in a great and a populous manufacturing district, in which the coal and the iron have brought its population together ; and from those artisans and workers there is going forth a continual stream from their native parish to your shores. And I here take the opportunity, for I shall never have it again, of asking of you, my brethren of the clergy, if you ever receive a letter commendatory from me, in the hands of those who leave my parish for yours, that you would treat them as brethren and sisters in the Lord, and give them those ministrations which they have so valued at home and which they will prize perhaps so much more on the shores of this new land to them.

But time warns me that I ought not to keep you ; a star may be of use on a dark night ; but when a planet comes forth, the star disappears, and when the moon shines the planet goes ; and when the great sun comes the moon in its turn gives way ; and so as a star, which indeed receives its light from the same blessed source, I would at once disappear from your presence before those planets, who have spoken prior to me, before that moon, the Dean of Chester, and above all, before that sun, my own beloved Bishop. (Great applause.)

I would only entreat you to be assured that never do I minister before my Lord at His altar, but I remember this branch of His Holy Catholic Church when I plead the blessed merits of His death for the whole of that blessed company, I can only trust and pray that as we are one in our Orders, as we are one in our particular fears and our particular dangers, so the Anglican Communion in America may be one with the Anglican Communion in England, in that great fresh lease of Church life, and Church practice, which is the characteristic of our Communion in the last few years. (Applause.)

The PRESIDENT next introduced the Rev. Mr. Selwyn.

The Rev. Mr. SELWYN. *My brethren of the Clergy and Laity:* Though the youngest of the clergy who have come over from the mother country, yet perhaps I have seen more of what the Anglican branch of the Catholic Church can do than any one here, except my father, the Bishop. In Australia, in New Zealand, in India, and in England, and now at last in America, like those first men who heard the first sermon, I have heard in our own tongue, aye, and more than in our own tongue, in our own Prayer Book's tongue, the wonderful things of God. I have seen in New Zealand, and now I see here, a power which I trust is going to do mighty things for the Catholic Church, as I trust the Anglo-Saxon race is going to do mighty things for the world.

I see here men giving up their time gladly and willingly to set forward their faith and the good of their Church. I have seen it in New Zealand, and I feel that it is a mighty power ; and seeing that, as I have in all quarters of the world, though there may be denunciation, though there may be heart-burnings, though there may be distresses, and though there may be troubles, yet I thank God,

and take courage. And I feel also, brethren, that though perhaps there is soreness, and there has been soreness (it is no use to deny the fact), between one country and the other, between the mother and the daughter, yet our statesmen, I hope, are removing that soreness in one way, and I trust that the union which now exists between this branch of the Catholic Church, that union which all of us have felt so strongly, which we felt so strongly yesterday in hearing the words of our own Service, I trust that that union will go on increasing and increasing, and that so far from being divided, and having sores and jealousies, we, the Anglo-Saxon race, may go out conquering and to conquer in all that is good, and all that is holy, and all that is right.

I thank you most heartily for the reception you have given us, and I can only re-echo the words of the rector of my church, Mr. Iles, if any of you come to Wolverhampton, we will do our best to make your stay agreeable. (Applause.)

The PRESIDENT. We were delighted at the privilege of receiving these illustrious guests. We now have a still deeper feeling, and on behalf of this Convention, and every member in it, I return them hearty thanks for their words of wisdom, and their heartfelt expressions of love.

The Rev. Dr. DALZELL, of Louisiana. May I make a suggestion, that the President of the House have seats prepared at his right hand for the Lord Bishop of Lichfield, and the Bishop of Nassau, and that they be invited to fill them at their convenience, and that the gentlemen who are present from our mother Church, other than those Bishops, be provided with special seats on the floor of this Convention ?

Rev. Dr. SCHENCK. I move a recess of fifteen minutes, that we may have an opportunity of taking our distinguished guests by the hand.

The motion was agreed to, and the Convention took a recess for fifteen minutes, during which the members of the House were individually presented to the distinguished visitors.

At the expiration of the recess, the House was again called to order by the President.

Order of Business.

The PRESIDENT. There was a matter on hand just before the recess, in regard to which I desire to make a suggestion. Mr. Judd and Mr. Ruggles had charge of the question which was before the House at the time of the recess. I would suggest to both those gentlemen that the question is evidently too serious to be acted upon at this present moment. There is another matter of urgent necessity to be acted upon, and if Mr. Judd will allow his motion to be postponed, I shall be obliged to him.

Mr. JUDD, of Illinois. With a great deal of pleasure, Mr. President ; but before action is taken on this proposition, I desire to be heard in response to the suggestion which was made by my distinguished friend, the delegate from New York.

Mr. RUGGLES, of New York. I suggest that the argument of that question be set down for some specific time.

The Rev. Dr. HAIGHT, of New York. I suggest that this matter go to the Committee on Canons.

Mr. RUGGLES, of New York. That is what I wish.

The Rev. Dr. HAIGHT, of New York. If we discuss it now, it will have to go to that committee and come back and be discussed over again. I hope it will be referred to the Committee on Canons at once.

Mr. RUGGLES, of New York. My friend from Illinois desires to be heard on the subject before it goes to the committee.

Mr. JUDD, of Illinois. My motion is to refer the resolution; but before it goes to a committee, I hope I shall be permitted to say a word in reply to the assertion that it is against the Constitution of the Church.

Mr. RUGGLES, of New York. And therefore some time should be fixed for the discussion.

The Rev. Dr. HAIGHT, of New York. That cannot be until the Committee on Canons report; and then you can make the subject the order of the day for any time you please.

Mr. RUGGLES, of New York. I suppose the gentleman from Illinois wishes to be heard by the Convention before the resolution goes to a committee.

Rev. Dr. HAIGHT, of New York. If he simply wishes to speak to the point of constitutionality, very well; but let there be no argument on the resolution in the House to-day, because it is all a waste of time.

Mr. RUGGLES, of New York. Then I ask that it be laid on the table to be called up by either Mr. Judd or myself.

Rev. Dr. HAIGHT, of New York. Why not let it go to the Committee?

Mr. RUGGLES, of New York. I am willing.

The PRESIDENT. Mr. Judd objects to that.

The Rev. Dr. HAIGHT, of New York. No; he wishes to reply to the objection concerning its constitutionality.

The PRESIDENT. To make an argument.

Rev. Dr. HAIGHT, of New York. I suppose the gentleman who moves a resolution has a right to explain it.

The PRESIDENT. But I have already observed that the question was too serious to be disposed of now, and that there was a question from Pennsylvania earnestly demanding the action of this House. Mr. Judd was kind enough to consent to let his motion be postponed.

Mr. JUDD, of Illinois. I understood it was postponed by common consent; but I shall certainly object to a motion to lay on the table when I have the floor.

Mr. RUGGLES, of New York. My suggestion was that it be laid on the table, to be called up at any time by either of us.

Mr. JUDD, of Illinois. Certainly, I will assent to that with pleasure.

The PRESIDENT. Does the gentleman from New York insist on his motion to lay on the table with the understanding that he can call it up at any time?

Mr. RUGGLES, of New York. With leave for Mr. Judd to call it up at any time. I wish to treat the proposition with perfect respect; at the same time I do not wish it to pass from this House until he may have the opportunity of explaining his views, which he requests.

The Rev. Dr. HAIGHT, of New York. I do not see why he cannot do it now.

The Rev. Dr. MEAD, of Connecticut. I hold that

no gentleman has a right to occupy the time of this House in a long speech when he presents a resolution. He has nothing to do but to state the resolution itself and to give the simple reasons why he presents it, and then submit it to the House. If my friend from Illinois has presented this matter, and my friend from New York will withdraw the motion to lay on the table, I will move immediately that it be referred to the Committee on Canons where it belongs.

Mr. RUGGLES, of New York. I withdraw my motion.

The Rev. Dr. MEAD, of Connecticut. I now move that the resolution offered by the gentleman from Illinois be referred to the Committee on Canons. It relates to a constitutional question, and, properly, it should go to that committee.

Mr. JUDD, of Illinois. The motion to refer is debatable, and I ask the privilege of being heard on this constitutional question, either now or at some other time, as may be the pleasure of the House.

The Rev. Dr. MEAD, of Connecticut. The gentleman will have that opportunity when the Committee on Canons report.

The PRESIDENT. A message has been received from the House of Bishops, which will be announced at once.

FORMATION OF NEW DIOCESE IN PENNSYLVANIA.

A message (No. 2) from the House of Bishops, announced that that House had adopted the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That this Convention hereby consents to, and ratifies the formation of, a new diocese within the limits of the Diocese of Pennsylvania, to be composed of all that part of said diocese outside of the counties of Philadelphia, Delaware, Chester, Montgomery, and Bucks.

The PRESIDENT. I now again ask that Mr. Judd will permit this message, and the documents which are to be laid before this House in connection with it, to be presented now, without prejudice to his right to the floor when that is concluded.

Mr. JUDD, of Illinois. With pleasure.

The Rev. Mr. Marple, of Pennsylvania. I have a certified copy of a resolution of the Diocese of Pennsylvania, to lay before this House, covering the same topic that is covered by the message from the House of Bishops:

To the House of Clerical and Lay Deputies of the General Convention of the Protestant Episcopal Church:

At the Convention of the Protestant Episcopal Church, in the Diocese of Pennsylvania, held at Philadelphia, May 17 and 19, 1870, it was,

Resolved, That this Convention hereby consents to the formation of a new diocese, to be composed of all that part of the present diocese of Pennsylvania which lies outside of the counties of Philadelphia, Delaware, Chester, Montgomery, and Bucks; and that with the consent of the Bishop, the deputies from this diocese to the next General Convention present this resolution, duly authenticated, to that body, and request its consent to, and ratification of, the same.

A true extract from the minutes.

Attest, JOHN A. CHILDS, *Secretary*.

In addition, also, as this resolution does not cover any special period of time in which this division is to be consummated, I suggest this resolution:

Resolved, That the division of the Diocese of Pennsylvania take effect on the first day of November, A. D. 1871.

And now I move that this certified resolution of the Diocesan Convention, and also the resolution presented by myself, be referred to the Committee on New Dioceses.

Adopted.

Mr. BATTLE, of North Carolina. Ought not the message from the House of Bishops to be referred to the same committee? If so, I make that motion.

The PRESIDENT. I don't know that it is necessary, but it can do no harm, at any rate.

The motion to refer was adopted.

EFFECT OF DIVIDED VOTES.

The PRESIDENT. Mr. Judd is now entitled to the floor on the motion to refer the resolution offered by him to the Committee on Canons.

Mr. JUDD, of Illinois. Mr. President and gentlemen of the Convention: The objection made to the proposition which I introduced, if I understood the Deputy from New York, was that each order was entitled to one vote. I understood the objection taken to the rule which I had the honor to propose for the adoption of this House, was a constitutional one. The second article of the Constitution provides:

"And in all questions, when required by the clerical and lay representation from any diocese, each order shall have one vote; and the majority of suffrages by dioceses shall be conclusive in each order, provided such majority comprehend a majority of the dioceses represented in that order."

I understand that the objection is, that there must be a majority of all those represented in order to carry a given proposition, and hence a division of a diocese will not count as a vote at all; there must be a majority of the entire representation. I do not understand that to be the Constitution. If it is, then if eighteen votes out of thirty-nine be cast upon a proposition in favor of that proposition, and one vote against it, and the votes of twenty dioceses be divided, the result is that the proposition is defeated for lack of a majority. If that is so, then I, for one, am desirous that this Constitution of ours shall be amended.

But there is a very plain explanation of this constitutional provision which will give a proper construction, and carry out the principle of representation, and the principle that the majority shall rule in Church as well as in State. The provision is simply this:

"And in all questions, when required by the clerical and lay representation from any diocese, each order shall have one vote."

The construction which I understand to be put on this is, that if the vote is divided, then the delegation or the diocese shall not have one vote. The Constitution says that every diocese shall have one vote, and according to the arithmetic which I studied, two halves make one; and if you divide up those two halves when a diocese is divided, according to the proposition in this resolution, you give to the diocese the benefit of that vote and the benefit of that representation.

If it shall be decided that under the true construction of this Constitution a minority may rule, because there is a division of dioceses, as for instance, if 18 shall vote in the affirmative, and one shall vote in the negative, and 20 dioceses shall be

divided, where you get more than two thirds of the representative voice of the entire country, according to my construction, the proposition shall be defeated, and the voice of the Church shall not be heard. I, for one, protest against any such construction. I have introduced this proposition for the purpose of getting a construction from the Committee on Rules, and I care not if it goes to the Committee on Canons. I am very willing that it shall be referred to that Committee. But if that is the construction of this constitutional provision, then I give notice that I shall introduce a proposition to amend the Constitution, so that the majority may be heard, and that the majority may rule.

Mr. RUGGLES, of New York. Mr. President, the gentleman and myself entirely agree. I ask nothing except that a question of this great gravity shall be referred to the proper Committee—that is, the Committee on the Constitution and Canons. It would be quite out of the question to refer so grave a matter as this to a mere temporary Committee on Rules. They have not had sufficient opportunity to canvass, or probably not sufficient experience to pass, on a question of great gravity like this. It certainly should go to the Committee on Canons.

One word more. The principle so broadly stated by the gentleman from Illinois, that the majority must govern, I trust does not prevail in the Church to the full extent under which we are suffering in our political system, and I am very glad, for one, if there be any checks giving the minority some rights. I do not admit the principle that in all cases the majority must and should govern; but, on the contrary, they should be subject to some wholesome check from the minority.

The PRESIDENT. The question is on the reference to the Committee on Canons.

Mr. McCRADY, of South Carolina. That is a very material question, Mr. President. After what has been said, I think it important that the debate should not close here. Have we any half votes in this Convention? Does our Constitution recognize a half vote, to which you can add another half vote, and thus make a whole? If there be anything like that in the Constitution, this is the first time that it has ever been discovered. You cannot make two halves of a divided vote here; those are not two halves that make a whole. The idea of suffrage here is that the dioceses are independent, that the dioceses shall act independent of each other, each for itself.

The Constitution says distinctly that there shall be a majority of the dioceses to control, and there can be no other majority. If you cannot find that there is a majority of the dioceses, each diocese being of one mind, it is no vote; the Church does not act. We do not come here as individuals; we come here as the representatives of churches, as the representatives of dioceses. The construction of this body is based upon the independence and the individuality of the dioceses, and of no other individuality. If twenty dioceses are divided, if twenty dioceses have no mind, they count for nothing. That is the idea of the Constitution. There are to be so many dioceses that do agree and come to a resolution, to a vote, to give any majority in this body. The Constitution is carefully guarded, so that you shall pass no vote here that is

not acceptable to a majority of the dioceses in both orders. Now it is proposed to change our Constitution and make half votes and say that two halves of two different dioceses shall make the voice of one diocese. As I have understood the Constitution of the Church, and the Constitution of any council of the Church, it thinks by dioceses, and it cannot think in any other wise; it cannot pass votes in any other wise. Here it is proposed to introduce into this body a totally different principle. If you adopt this resolution, you change the fundamental law of your Constitution.

I do not object to the reference, but I do object to the resolution going to any committee to be considered without the Convention hearing both sides, and I have endeavored to present the side which I think is the correct one.

Mr. BATTLE, of North Carolina. Just a word, Mr. President.

The PRESIDENT. I was about to state that debate on the merits of the question is hardly in order now. The motion is simply to refer. I will mention one fact which may not be known to the House, that the three members of the Committee on Rules are also members of the Committee on Canons. This suggestion applies merely to the expediency of debating this subject on the merits. I doubt, however, the right to do it; at least, further than we have now gone.

Mr. BATTLE, of North Carolina. I shall detain the House but a moment. My objection to the proposition of the gentleman from Illinois, is, that it proposes by a resolution of this House to make that a fact which is not a fact. Supposing 39 dioceses to be represented in this Convention, if 19 vote in the affirmative on a given question, and 20 are divided, he proposes to add 10 to the affirmative vote, and 10 negative votes; in other words, he attempts to make nine votes out of nothing.

Mr. JUDD, of Illinois. Allow me to ask the gentleman of North Carolina a question. In the case which he has presented to this body, when the vote of a diocese is divided, does not one portion of the delegation vote in the affirmative, and yet they are counted in the negative, when they ought not to be?

Mr. BATTLE, of North Carolina. No, sir, it is not so. It goes on according to the Constitution and says they are not to be counted at all; and if the effect of it is to help the negative, that we cannot avoid. We cannot provide against that unless we change the Constitution. Now, sir, suppose we make of these 10 affirmative votes, which of these 20 dioceses may claim the credit of having voted in the negative? Suppose the Diocese of North Carolina is divided; and we are asked, "How did you divide; how did you vote on this question?" We say, "We did not vote at all because we were divided." "But," they say, "you are counted in the affirmative notwithstanding." It might be a matter in which the diocese might take some pleasure in having given an affirmative vote. There might be a contest between those very votes as to which of them should claim to be in the affirmative and which of them should claim to be in the negative. But, sir, at last my objection to this is, that this House ought not to resolve that which is not so, to make 10 votes where there was no vote. That is my objection.

Mr. MEIGS, of New Jersey. I submit, Mr. President —

The Rev. Dr. HAIGHT, of New York. Will my friend allow me to say one word? This is evidently

wasting the time of the House. The matter must go to a committee and come back. Why, then, debate it now?

Mr. MEIGS, of New Jersey. That is the very point I intended to bring up. I was about to submit to this House that we are discussing the merits of the proposition, instead of discussing the question whether it shall be referred to a committee. Now, sir, it is eminently appropriate to submit this resolution to the Committee on Canons. It belongs to that committee, and I submit that we ought not to discuss the merits of the question until it has been so referred.

The resolution was referred to the Committee on Canons.

VOTES BY ORDERS.

The Rev. Mr. SHIPMAN, of Kentucky. Mr. President, as Article II. of the Constitution now stands, a call for a vote by orders requires the concurrence of both orders in the representation of a diocese. There is abundant testimony, I think, to show that the Constitution, as it ought to be, makes no such requirement, but that the representation of a diocese in either order may call for a vote by orders. I therefore offer for the adoption of this House the following resolution, which, if adopted at all, it is important should be adopted at an early period in our sessions:

Resolved, That it be referred to the Committee on Canons to inquire and report whether the conjunctive "and" between the words "clerical" and "lay" in Article II. of the Constitution be not an unauthorized substitution for the disjunctive "or."

Mr. RUGGLES, of New York. I beg to add to that "and also to inquire into the expediency of changing the present 'and' to 'or.'" It is alleged, I am aware, that it was an error in the printing, and that it was unauthorized; but if it was authorized, then let its committee inquire into the expediency of changing the conjunctive to the disjunctive.

The Rev. Mr. SHIPMAN, of Kentucky. I accept that amendment.

The Rev. Dr. SCHENCK, of Long Island. This is no new question before the House. That Canon was re-enacted. It will be found on the fly-leaf of the Journal of 1853. It went down to the dioceses then, and was re-enacted in 1856, and whether it is an error or not, is a question that it is now too late to raise. I think that the gentleman who moves it had better personally lay the matter before us so that it may be understood.

Mr. RUGGLES, of New York. The whole question is now open for examination, whether the Constitution ought not to be so altered as to change the conjunctive into the disjunctive as a new, original question. That is the effect of my amendment.

The PRESIDENT. The question is on the reference of the question to the Committee on Canons, as proposed in the resolution.

The resolution was adopted.

ASSISTANT BISHOP OF SOUTH CAROLINA.

The Rev. Dr. SHAND, of South Carolina. I rise to present the testimonial of the Diocese of South Carolina as to the election of the Rev. Dr. Howe, of South Carolina, as assistant bishop of that diocese.

The testimonial was received and referred to the Committee on the Consecration of Bishops.

DIOCESE OF ARKANSAS.

The Rev. Dr. HAIGHT. I beg leave to present papers which have been placed in my hands from the

Diocese of Arkansas, being a copy of the Constitutions and Canons adopted by the Primary Convention in Arkansas, and I move the reference of these documents to the Committee on New Dioceses.

The motion was agreed to.

NEW YORK FEDERATE COUNCIL.

The Rev. Dr. HAIGHT, of New York. I hold in my hand to present to this body a memorial of the Federate Council of the dioceses within the State of New York, which, with the permission of the House, I will read.

The memorial of the bishops, clergy, and laity of the dioceses within the State of New York, in Federate Council assembled in the city of New York, on the Feast of the Conversion of St. Paul, in the year of our Lord one thousand eight hundred and seventy-one, to the General Convention of the Protestant Episcopal Church in the United States of America, respectfully sheweth.

That, at their present session, your memorialists have adopted the Declaration of Powers proposed to be exercised by the said Federate Council, which, with the resolutions accompanying the said declaration, and adopted at the same time, they respectfully submit for the consideration of the General Convention of the Church, to wit:

FEDERATE COUNCIL OF NEW YORK, PROPOSED DECLARATION OF POWERS, ETC.

The five dioceses existing within the limits of the State of New York, having established for themselves a Federate Council, pursuant to the provisions of Canon 8, Title III., of the Digest, etc., hereby submit to the General Convention for its approval the following declaration of the powers proposed to be exercised by the Federate Council:

DECLARATION.

I. The said Federate Council shall have full power to deliberate and decide on all matters pertaining—

1. To such civil legislation as the common interest of the Church in the State of New York may require.

2. To the promotion of the interests of Christian education, and to the furtherance of joint work for the extension and prosperity of the Church.

3. To the establishment of an Appellate Court, to which, under the canons of any particular diocese, appeal may be made from the decision of any Diocesan Court in said State.

II. And the said Federate Council shall have full power to enact all regulations necessary to its organization and continuance, and to the ends contemplated in the foregoing declaration, not inconsistent with or repugnant to the Constitution and Canons of the General Convention of this Church, or of any one of the dioceses concerned; or to the Law of the Rubric, as contained in the Book of Common Prayer and Offices of this Church.

RESOLUTIONS.

I. *Resolved*, That the Form of Declaration, etc., contained in the foregoing report, be approved of and adopted by this Primary Council, and be presented to the next General Convention with the request that the same may be approved of by that body.

II. *Resolved*, That a certified copy of the aforesaid declaration and these accompanying resolutions, at-

tested by the President and Secretary of this Council, be entrusted to a Committee consisting of the Right Reverend the Bishops of the five dioceses and the Deputies to the next General Convention, from the several dioceses represented in this Council, to be by them laid before both Houses of the said General Convention, and that the said committee be authorized to use all proper means for seconding the action desired by the General Convention.

In witness whereof we have hereunto put our hands, on this twenty-fifth day of January, in the year of our Lord one thousand eight hundred and seventy-one.

HORATIO POTTER,

Bishop of New York, and

President of the Council.

WILLIAM STEVENS PERRY,

Secretary of the Council.

Mr. President, the only way in which this body can act upon this memorial, and give the powers to this Federate Council which they desire, is by canonical action. I move, therefore, to refer this memorial to the Committee on Canons.

Mr. RUGGLES, of New York. I have one suggestion to make in reference to that. The Diocese of New York, which I have the honor to represent in connection with my reverend colleague, at its recent meeting passed a resolution requesting that any action of the General Convention in respect to the Federate Council might contain a provision requiring a reference back of the scheme of government to the diocese itself. I have a copy of that resolution, which I have accidentally left behind me, and I would only ask that that resolution be referred at the same time to the Committee on Canons.

The Rev. Dr. HAIGHT, of New York. I think my friend has rather misunderstood the purport of the resolution. The resolution passed by the Convention of New York was simply a reiteration of the resolution passed three years ago, which is perfectly well understood, that no action of the Federate Council in regard to this matter of the powers to be exercised, should be binding on the Diocese of New York until it had gone to the Diocesan Convention, and by them approved.

The resolution of the Diocese of New York has no bearing whatever on the action of this Convention; it relates simply to the action of the Federate Council.

Mr. RUGGLES, of New York. With that understanding, I do not ask the reference to a committee of that resolution.

The Rev. Dr. UFFORD, of Ohio. This is a very important matter, and it is to be put into the hands of the Committee on Canons, who will simply report either in favor of or against the request contained in that memorial. It is very difficult for us to understand what is the nature of these powers that are desired by this memorial. I therefore move, as an amendment to the motion, that this memorial, so far as the powers are concerned, be printed for the use of this Convention, so that we shall be able to know when the Committee on Canons report here in favor of or against it, what is the nature of these powers that are to be granted.

The Rev. Dr. HAIGHT, of New York. I hope that will be done.

The Rev. Dr. CLARK, of New Jersey. I presume we shall have this memorial to-morrow morning in

the daily paper, the *Churchman*, which is published by a gentleman—I do not know whether a member of this House or not—but published daily and very largely circulated in this body. Would it be worth while for us to print it in a separate form?

The Rev. Dr. HAIGHT, of New York. It would save expense not to do so.

The PRESIDENT. Does Dr. Ufford act on that suggestion?

The Rev. Dr. UFFORD, of Ohio. If that paper circulates so as to give the body information on that point, I will acquiesce in it. All I want is that the subject shall be brought before the Convention for reflection before the Committee on Canons report.

The Rev. Dr. CLARK, of New Jersey. I suggest that the *Daily Churchman* be requested to furnish separate slips of the memorial for the use of this House. It will save a large expense if we adopt this course in relation to a great deal of our printing.

The Rev. Dr. UFFORD, of Ohio. I withdraw my suggestion.

The PRESIDENT. The Secretary says the suggestion of Dr. Clark will be carried out without any motion. The question is on the reference of the papers from the Federate Council of New York to the Committee on Canons.

The motion to refer was agreed to.

SERVICES OF FOREIGN CLERGYMEN.

The Rev. Dr. FRANKLIN, of Indiana. I rise to propose a resolution which I think this is an appropriate time to present. It will call attention to what, no doubt, is an omission in our canon law. If members will refer to the 12th Canon of title I, sections 6 and 7, they will see that throughout the American Church this principle is acknowledged, that every man's Orders shall carry him freely through the Church, and that he shall have all the rights which belong to his Orders, to whatever part of the Church he may go; so that if, having full letters, and having a clear record, he appears in any diocese, any clergyman or any parish in that diocese may invite him to perform services in the parish church. The liberty has been fully allowed throughout the American Church, as will be seen by reference to the canon to which I have alluded. My idea is simply this: that we shall stand in such intimate relations to our mother Church of England that all her clergy who come here may have the same rights in every parish of the Church that every clergyman of the American Church has; in other words, simply to put them upon the same basis. In order to do that, I propose to amend Canon 10, title I, section 1, I will read that section as it stands, till I come to the point where the amendment comes in:

"A clergymen coming from a foreign country, and professing to have been ordained out of the United States by a foreign Bishop in communion with this Church, or by a Bishop consecrated in a foreign country by Bishops of this Church under Article 10 of the Constitution, or by a missionary Bishop elected to exercise episcopal functions in any place or places out of the United States, shall before he be permitted to officiate in any parish or congregation, exhibit to the minister, or if there be no minister, to the vestry therein, a certificate signed by the Bishop of the diocese, or if there

be no Bishop, by the standing committee, duly convened, that his letters of Holy Orders are authentic and given by some Bishop in communion with this Church, whose authority is acknowledged by this Church; and also that he has exhibited to the Bishop, or standing committee, satisfactory evidence of his pious and moral character and his theological acquirements."

These two points the Bishop may inquire into, as to his Orders, and as to his pious and moral character. Now, in the American Church, an American clergyman going into any diocese and any parish, has the right to officiate by virtue of his Orders, by virtue of his moral character; but before an English clergyman can have that right to officiate, he must present to the vestry, or to the rector, this acknowledgment of his right from an American Bishop. Now I propose that following the word "requirements" shall be this amendment, the effect of which will be to require that the certificate be given:

"Which certificate shall be given by the Bishop or standing committee unless specific objections are made in writing, with reasonable proofs, against the Orders or the pious and moral character of the applicant; and the said objections and proofs shall be returned to his diocesan, and if declared, not sustained by the said diocesan, the Bishop or standing committee aforesaid shall forthwith execute the certificate required, accompanied, however, by a permission to officiate for any period or periods requested by the applicant, not longer in all than six months."

This is designed to prevent any clergyman settling himself or being settled in any parish of this Church while he acknowledges subjection to a foreign Bishop, and merely to allow him to exercise his office, if his services are desired by any parish for a specific and fixed time. I am not particular about the time,—six months, or five months, or four months, or whatever it may be. I merely inserted six months as a suggestion. I propose that this shall be referred to the Committee on Canons.

Rev. Dr. HOWE, of Pennsylvania. I should like to know if there is a proposition for reciprocity on behalf of ministers of this Church when in England?

The PRESIDENT. I do not know. The proposition will be read by the Secretary, and then be under consideration.

The Secretary read the resolution as stated by the Rev. Dr. Franklin.

The Resolution was referred to the Committee on Canons.

NUMBER OF DEPUTIES.

Mr. Ruggles, of New York, offered a resolution, which, after being amended by Mr. Massey, of Virginia, read as follows:

Resolved, That it be referred to the Committee on Canons and the Constitution to report on the expediency of proposing an amendment to the Constitution reducing the number of deputies to the General Convention to—clerical and—lay deputies from each diocese.

The resolution was adopted.

OFFICIATING OF OTHER CLERGYMEN.

The Rev. Dr. CLARK, of New Jersey. While we are on the subject of persons officiating in this Church, I

would respectfully suggest that Canon 11 of title 1, is constantly broken by the officiating of English clergymen in our Church, and I, therefore, propose to move that this Canon be referred to the Committee on the Constitution and Canons, with reference to its repeal.

"No minister in charge of any congregation of this Church, or in case of vacancy or absence, no Church wardens, vestrymen, or trustees of the congregation shall permit any person to officiate therein without sufficient evidence of his being duly licensed or ordained to minister in this Church."

I need not read any further to have the complete understanding of my meaning in relation to this Canon. I move that Canon 11, of title 1, be repealed, and that this proposition be referred to the Committee on the Constitution and Canons.

Under that Canon, I understand we are not permitted to invite any clergyman to officiate, unless he be a clergyman of the Protestant Episcopal Church of the United States of America.

The Rev. Mr. WITHERS, of Virginia. I suggest that the resolution be modified, so as to request the Committee on Canons, to inquire into the expediency of repealing Canon 11, of title 1.

The Rev. Dr. CLARK, of New Jersey. I accept that as a substitute. I hope the point is seen, without the necessity of going into any argument in favor of the repeal of this Canon. We cannot consistently ask anybody to officiate in our churches, except a clergyman of the Protestant Episcopal Church of the United States of America, under this Canon. This Canon has done more than it was intended to do on its passage.

The Rev. Dr. HAIGHT, of New York. I suggest whether clergymen of the Church of England are not clergymen of this Church. It seems to me so; but I do not raise any question.

The Rev. Dr. DALZELL, of Louisiana. It strikes me that the reverend brother who has introduced the subject, has lost sight entirely of the intention of the General Convention when it adopted the Canon referred to. He is wrong in supposing that that Canon bears reference to any clergyman of the Church of England, or any other clergyman who has received Episcopal ordination.

Clergymen of the Church of England, and clergymen of other Churches in communion with the Protestant Episcopal Church of this country, who have received their Orders at the hands of lawful bishops, have their cases covered by that Canon which was referred to by Dr. Franklin, of Indiana. That Canon entirely covers their cases; and the purpose of the Canon to which the gentleman from New Jersey draws attention, is to keep out of our pulpits men who have not received Episcopal ordination. I, therefore, move that the resolution lie on the table.

The Rev. Dr. CLARK, of New Jersey. Will the gentleman allow one word of explanation? I know the motion is not debatable. ["Question." "Question."]

The PRESIDENT. It is moved to lay on the table the resolution of the gentleman from New Jersey.

The motion was agreed to.

EXPENSES OF THE PRESIDING BISHOP.

The Rev. Dr. HAIGHT, of New York. I have a resolution to offer. It came to my knowledge, very

accidentally, in the course of the last year, that no provision whatever had been made by this Church for the payment of the incidental expenses attending the exercise of the office of Presiding Bishop in the House of Bishops, during the intervals between the General Conventions. Gentlemen who have at all thought of the matter, must be aware, especially in the present widely extended correspondence and inter-communion of this Church, that the Presiding Bishop of the House of Bishops of this Church is called upon very frequently to incur a considerable expense in the way of postage, in the way of copying, in the way of printing. I confess I was rather mortified to find that the good Bishop of Kentucky, our senior Bishop, has been paying these expenses out of his own pocket for the last three years, and that members of his family have been called upon to perform the duties of clerk, without any compensation whatever. I think there can be no question that the House will at once respond to the proposition which I make, which is as follows:

Resolved, That it be referred to the Standing Committee on Expenses to consider and report upon the expediency of making provision for the payment of the expenses incurred by the Presiding Bishop of the House of Bishops, in the discharge of the duties incident to his office, and, if they shall deem the same expedient, to name a sum which may be reserved by the Treasurer for the said purpose.

Resolved, That the same committee be instructed to inquire and report as to the amount needed to reimburse the present senior Bishop for expenses incurred by him since his entrance upon the duties of presiding Bishop of the House of Bishops.

The sum will not be very large; I suppose not more than \$500 for each three years. Certainly provision ought to be made for meeting it. This is a motion to refer to the Committee on Expenses.

The Rev. Dr. MEAD, of Connecticut. I second the motion. I think it is very proper.

The motion to refer was agreed to.

MISSIONARY JURISDICTION.

Mr. WOOLWORTH, of Nebraska. I am requested by the Missionary Convocation of the missionary jurisdiction of Dakota, to present a memorial which I ask the secretary to read; and I also present with it a resolution, and I desire to have them referred to some appropriate Standing Committee.

The Secretary read the memorial as follows:

"To the House of Clerical and Lay Deputies of the General Convention of the Protestant Episcopal Church in the United States of America:

"The memorial of your memorialists, the Missionary Convocation of the Missionary Jurisdiction of Dakota Territory, sheweth:

"That that portion of our common country not yet organized into dioceses, contains an area of nearly one million of square miles, or about one fourth part of the territory of the United States; that this territory is being rapidly settled by an active, energetic, and industrious population; that the Church is being established in all parts of said territory; that in the doings of the General Convention questions of vital interest to the Church in said territory must of necessity arise, while we have no member in your House to represent us; that for many years to come a large portion of this section must remain unorganized; that the practice of our national government, with which

the government of our Church seems to harmonize, giving a seat to one delegate from each territory, sanctions the prayer of your memorialists; that the prayer of your memorialists can be granted by a simple resolution of your body, without the repealing or the enacting of an act.

"For these reasons, your memorialists respectfully ask that a delegate from each of the Territories be admitted to a seat, without a vote, in your honorable body. Your memorialists would further state that they have appointed the Rev. Melancthon Hoyt, D.D., to represent them, if the prayer of your memorialists is granted.

And, as duty bound, your memorialists will ever pray.

"Attest: PETER BROWN MORRISON,
"Secretary of Dakota Convocation."

The resolution of Mr. Woolworth was read, viz.:

Resolved, That each of the Missionary Jurisdictions be entitled to one seat in this Convention, with the right to speak, but without a vote.

The Rev. Dr. MEAD, of Connecticut. I move the reference of that memorial and resolution to the Committee on the Constitution and Canons. It involves, I think, a constitutional question.

The motion to refer was agreed to.

On motion of Mr. Churchill, of Kentucky, the Convention adjourned.

THIRD DAY.

FRIDAY, October 6.

The members of the Convention assembled in Emmanuel Church at 10 A.M.

Morning Prayer was said by the Rev. Wm. Payne, D.D., Deputy from the Diocese of Albany, assisted by the Rev. James Craik, D.D., President of the House of Deputies, and the Services were concluded by the Rt. Rev. Charles Pettit McIlvaine, D.D., LL.D., D.C.L., Bishop of the Diocese of Ohio.

The journal of yesterday's session was read and approved.

REPORTS OF COMMITTEES.

The PRESIDENT. Reports of Committees are in order.

ASSISTANT BISHOP OF SOUTH CAROLINA.

The Rev. Dr. SCHENCK, of Long Island. The Committee on the Consecration of Bishops have examined the testimonials of the Rev. William Bell White Howe, D.D., Assistant Bishop-elect of the Diocese of S. Carolina, and beg leave to report that the proper evidence of his election as Assistant Bishop has been laid before them, and that his certificate is signed by a majority of the members of the Diocesan Convention. The Committee recommend the passage of the following resolutions:

Resolved, That the House of Clerical and Lay Deputies approve the testimonials of the Rev. William Bell White Howe, D.D., and give their consent to his consecration as Assistant Bishop of South Carolina.

Resolved, That the House proceed to sign the proper certificate to be presented to the House of Bishops. The resolutions were adopted.

The Rev. Dr. SCHENCK, of Long Island. I have prepared a testimonial for the House of Clerical and Lay Deputies, which I will send to the Secretary's table that members may sign it in the proper order, according to dioceses.

The PRESIDENT. The papers will be ready presently for signature.

SERVICES OF FOREIGN CLERGYMEN.

The Rev. Dr. HAIGHT, of New York. The Committee on Canons, to whom was referred a proposed amendment to Section 1, Canon 10, Title 1, "of ministers ordained in foreign countries by Bishops in communion with this Church," respectfully report, that in their opinion the proposed alteration is inexpedient. The proposed amendment is as follows:

After "acquirements," in the 18th line, insert: "Which certificate shall be given by the Bishop or Standing Committee, unless specific objections are made in writing, with reasonable proofs, against the Orders or the pious and moral character of the applicant; and the said objections and proofs shall be returned to his Diocesan, and if declared not sustained by the said Diocesan, the Bishop or Standing Committee aforesaid shall forthwith execute the certificate required, accompanied, however, by a permission to officiate for any period or periods, requested by the applicant, not longer in all than six months."

I will say that the Canon, as it now stands, requires that the Bishop, before he shall receive a clergyman from a foreign Church, and allow him to officiate in this Church, shall have presented to him his letters of Orders, and a certificate of his pious and moral character, and theological acquirements. Thereupon, he may give to such clergyman a certificate to that effect, and a license to officiate.

The proposed amendment would compel the Bishop, although he might have, in his own mind, very good and sufficient reasons for withholding the certificate and the license, to give that certificate, unless he was prepared to make charges against the moral character of the individual, or against the validity of his letters of Orders. And in case he should make charges, and if those charges should be disallowed by his Diocesan at home, our Bishop still would be compelled to receive that foreign clergyman and allow him to officiate in his diocese.

The Committee think a proposed change of this nature is inexpedient, and my colleague, the Rev. Dr. Paddock, of the Diocese of Long Island, is charged by the Committee with making some further statements upon the subject.

The Rev. Dr. PADDOCK, of Long Island. Mr. President, I do not imagine that the Committee desire me to enter into very full explanations of the reasons which controlled their action; and I conceive that the Reverend Secretary of the Committee on Canons has already stated nearly all that need be said. I will therefore only call the attention of the House to the fact that Canon 10, as it now reads, makes ample provision by which clergymen, ordained by Bishops of foreign Churches in communion with this Church, shall be received as settled clergymen of this Church with proper cautions and safeguards; namely, that they shall reside one year in the United States, that they shall sign the declaration in article seven of the Constitution, and still further that the letters dimissory shall be given up and accepted within six months.

It would seem, therefore, to be the settled purpose of the Canon to guard the Church against compelling Bishops to receive clergymen not intending to settle in the Church in this country, but only to visit here for a longer or shorter period, from the fact that the Canon does not mention anything in reference to the date of the letters of Orders, so that a clergyman might

visit this country with a letter of Orders dated back twenty years, and letters touching also his character, if he bore any such letters at all, might be dated very far back.

It seems, then, to intend that the Bishop into whose diocese he comes for his temporary sojourn, shall not only have the power but the responsibility, as in the sight of God and the Church, of deciding as to the propriety of admitting him for official administration. This proposed amendment to the Canon takes away entirely that discretion and that responsibility, and unless the Bishop can produce in writing charges against the moral or religious character of the applicant, or unless he happens to know that the letters are forged or otherwise imperfect, unless he can make this evident and send back the documents to England, he cannot proceed to arrest at all the action of the visiting clergyman.

I will mention still further, before taking my seat, that many cases are on record in this Church, very unhappy ones, of clergymen bearing letters of Orders from the English Church, which letters, in some cases, were given a long time before, and have been most fearfully abused, and, in some cases, have been clearly proven to be forgeries. So that it is altogether wise, in the judgment of the Committee on Canons, to throw upon the Bishop of the diocese the responsibility of looking a little further than merely to a letter of Orders that may date back ever so long ago.

It is, therefore, thought better, as has been stated by the Secretary of the Committee, not to recommend the adoption of this proposed amendment.

The Rev. Dr. FRANKLIN, of Indiana. I feel the great difficulty that I must labor under in pressing this matter against the great weight, and the very deserved weight, of the Committee on Canons. But they have not presented to us any consideration which I think ought to have weight with this body. The circumstances that have been referred to by the gentleman from Long Island are mere trifling matters of detail which could be very easily arranged. It might be required, for instance, that the clergyman coming shall bring his letters of Orders, and also letters of commendation, from his Bishop, and unless the Bishop into whose diocese he comes, and where he desires to officiate, has serious objections against him, then that he shall be permitted to act as a clergyman.

The principle which is involved in this matter, I think, will be clear to us all. It is an acknowledged principle in the polity of the American Church, that every clergyman of every diocese, may go wherever he pleases throughout the broad bounds of this one body, this one branch of the integral Church of Christ, and may there be received, and shall there be received, because he bears the authority of his Master, and because his record is clear.

Now, sir, we are united as closely and as truly to other branches of the one body of Christ as the various dioceses of America are to one another. Our mother Church of England is part of ourselves, and we are part of her; our sister Church of Scotland is part of ourselves, and we are part of her,—one body in Christ. If the authority of the various portions of this Church is not recognized by every portion thereof, then the unity of

the one body of Christ is broken; and I believe that it is not the design of this body that any one Bishop shall have the power to create a schism in the body. If any man should happen to come across the water who had won for himself a noble record for noble work in the mother country, and if there should be a parish in this country that should desire to receive his ministration because there has been something peculiar in his ministration; if he had shown by successful work abroad that he was able to do that which we have not yet in this country learned to do, namely, preach the Gospel to the poor; and if any Bishop should presume to deprive the parish that desired them of the services of this noble and worthy man with clean papers, and with noble letters of commendation, would he not be taking upon himself a responsibility which this Church would not be willing to shoulder and to bear?

Such a thing may occur. It may occur on any side of any question. It is not now relevant or necessary to inquire whether such a case ever has occurred. It matters not whether the case has or has not occurred; it may occur; and if it should occur, and any Bishop should refuse to allow a worthy and able man to serve in his diocese, when persons are desirous of receiving his ministrations, when there are souls hungering and thirsting after those ministrations, especially when they feel that he has been endowed by the blessed and ever-watchful Spirit with peculiar powers to enable him to do good where we desire that good shall be done, and where we have not yet succeeded in doing it—if such a man should come, and a parish should desire him, who shall dare to say him nay? What Bishop in the American Church shall dare to say him nay? And if he dares to say him nay, will the American Church sustain that Bishop?

Now, sir, to guard against the obvious difficulties in the case, let us require that he shall have letters of commendation; and if that point was not mentioned in the proposed amendment, it was an inadvertence; and let us require that those letters of commendation from his Bishop shall bear a recent date, and then all the difficulties will be removed, except the primary, essential one, the one which we must insist upon and stand upon, whatever it may cost us, namely, that no Bishop shall break the unity of the Church; that letters of commendation from our mother Church, beloved of God, and honored from the depths of our deepest hearts and souls, shall be received, honored, acknowledged, and made effective in our widest borders. I am astonished that men so learned, so thoughtful, and so considerate of the bearing of all questions, as the venerable and honorable Committee on Canons, should object to the proposed amendment to the Canon; and I trust, that in spite of the weight of their reputation, this body will pass that amendment.

The Rev. Dr. PADDOCK, of Long Island. In the Canon, as it now reads, and also in the proposed amendment, nothing whatever is said about letters of commendation.

I will say, further, that if the unity of the Church is broken by requiring the Bishop of a diocese to give a license, before a clergyman from foreign parts can preach, the unity of the Church is al-

ready broken beyond remedy, for no American clergyman to-day can preach in any diocese in England without the consent of the Bishop thereof.

The Rev. Dr. FRANKLIN, of Indiana. The responsibility, then, rests upon England, and does not rest upon us. I shall be very glad to make that change, if I might be permitted to withdraw the resolution and introduce the clause, "letters of commendation." I am surprised that it is not expressed. I have not the resolution here.

The Rev. Dr. HAIGHT, of New York. I trust the House will see the true bearing of this question. In my judgment, it is not a question of the unity of the Church at all, in any wise. It is simply this question: whether we are prepared, as members of this House to go on with the process of curtailing the prerogatives of our own Bishops. By the existing Canon, which is a very old one, the Bishops of the American Church are required before they receive a foreign clergyman to exact proof of two things: first, that he has been regularly ordained; and, second, that he is a person of good moral and religious character, and a respectable theologian.

Before the Canon was passed, as I am informed by those acquainted with the history of our Church, the practice of the Church was very loose. Foreign clergymen came here and were received by the Bishops as they pleased, and hence some very unfortunate cases happened. I will mention one that occurred in the Diocese of New York a great many years ago, which is one of the traditional stories that I heard when a young man in that Diocese. Bishop Benjamin Moore, one of the most noble prelates this Church ever had, was a man of exceeding amiability and kindness, and never could bear to refuse the request of any one. A gentleman came, purporting to be an English clergyman, with letters of Orders and certificates. Bishop Hobart, then Dr. Hobart, who was a very keen judge of human character, having seen the man, decided that there was something wrong about him, and advised the Bishop to be very cautious, and not to receive him until he had a private letter from England which could be identified in New York, so that the fact that this man was the person he purported to be might be evident. The Bishop very reluctantly took the advice of Dr. Hobart, and told the man that before he was received he must bring a letter from some gentleman in England who was known in New York, and whose handwriting could be identified. In those days we had only a monthly mail between New York and Falmouth. About three weeks afterward, the gentleman walked into the Bishop's study and handed him a letter which purported to be a letter written in London within a month or six weeks, certifying that this was all right. The Bishop was exceedingly pleased, and thought that would settle the question with Dr. Hobart. Dr. Hobart came in, and the Bishop handed him the letter with a playful remark, that he hoped now there would be an end to all suspicion. Dr. Hobart read the letter, and quick as thought turned it to the light, and it was written on American paper of the same year (laughter). That settled his case.

As I said just now, the Canon requires that there shall be on the part of our Bishops a care to prove two things; but it leaves the responsibility with the Bishop to say whether or not certain gentlemen shall come in and receive his license and go about his diocese, officiating as they please. Sir, I am a presbyter and proud of my order, and mean ever to stand up for the rights and privileges of my Order, but I honor the Bishops of the Church of God in their place; and I never will in this Church willingly do a single thing to curtail any further the prerogatives of Bishops than we are forced to do by the facts of the case. Can any one say that there is any ground whatever in the history of the Church for the last three years, why this Canon should pass and our Bishops made the mere recording agents of Bishops abroad? No, sir. I hold that it will be almost an insult to the Bishops of this Church to pass that amendment, and I hope the motion to override the Committee will not prevail.

Mr. BATTLE, of North Carolina. As a lay member of the Committee on Canons, I wish to say, that in one single word we may express the reason why we report against this measure. We look upon it as calling upon us to make a vote of want of confidence in the Bishops. That is the long and the short of it. I look upon it further as a reflection upon our own clergymen, that we have not clergymen who can do what these foreign clergymen are requested to do. Is this Convention prepared to give such a vote—to vote that it has no confidence in the Bishops that they will do right on these occasions; that it has no confidence in its own clergy, that they are not qualified to perform these duties for the saving of sinners?

The Rev. Dr. ADAMS, of Wisconsin. I go with the Committee on Canons entirely; I do not want any curtailing of the authority of our Bishops; and I will say something more, that I conceive this question ought not to be put upon sentimentality, but upon law. I mean the question in regard to us and the English Church. We highly respect the English Church in the very best way. It is our most venerable mother. The English State has been rather hard upon us; but that is no matter here or there, though it chances to come in very strongly in reference to this question.

The point of law that I would suggest is this: have our Bishops, mutually, any transfer in a Canonical and legal point of view, with any English Bishop? The Committee on Canons can answer that. We are an independent Church. There is such a thing as comity between National Churches; but the comity in respect to National Churches should not be solely on one side. A reciprocity that is wholly on one side is rather a peculiar kind of reciprocity. No Bishop under their State law, transfers, or can transfer, any clergyman of the English Church to us. What is the consequence of that? A man comes from abroad as a clergyman, and has been apparently acting as a clergyman of the American Church. The fellow here commits adultery, or fornication, or forgery, or anything of that kind, and you try him and sentence him to degradation; but under the English law his degradation is not worth one sixpence. He has never been transferred. There is no transference by which, under the State law of England, a clergyman can become a member of our Church so as to be tried, and so that the verdict of the American Court shall be held as of one sixpence worth of value in the English State. I know that very well, because within the last two years an English clergyman came into the diocese of Wisconsin, from an English Bishop. Bishop Kemper wanted to understand how it was,—and he

found that the man had committed fornication and drunkenness, etc., and, finally in order to get through here into the diocese of Wisconsin, he committed forgery. The Bishop wrote to the Bishop to whom he belonged, and the Bishop to whom he belonged, told him the state of the case, but he had no power and authority—our Bishop had no right to try him, for he had been shrewd enough not to get a nominal transfer; but that man is now a clergyman in the Diocese of London, in regular authority.

Now, with regard to our Bishops, I ask the Standing Committee on Canons—they know the law a good deal better than most of us do—I ask our reverend father in this House, Dr. Mead, who has been in this body longer than any one of us; is there an actual transfer of English clergymen to the American Church so that they can be tried? and, being tried, that our sentences will be of any importance whatever in the English Church? Dr. Mead knows there is no such thing.

Mr. President, that puts another phase upon that matter. I think that is law; that is not sentiment. I think then that in this case the proper method is, instead of repealing or amending that Canon, to make it more stringent, to fix it out so that until the English Church gives us the national comity which as a National Church we ought to have, our American Bishops ought to be able to say, "Mr. So and So, you are a clergyman of the English Church; you have no transfer to me; I may try you, but it amounts to nothing, for you have to be tried in England before you can be degraded; and therefore, my dear sir, since the English Church chooses to put us in that position, and I see that the Convention that met in Baltimore at such and such a time, has given me authority to squeeze you (laughter), therefore, I shall not permit you to officiate in my diocese on any consideration whatever. I think fairness ought to be on both sides, and if this be the state of the law with regard to our position to the English Church, I think that instead of setting to and making our American Church a runaway for any sort of English clergyman that may choose to embark on the other side of the Atlantic, and get across, and travel about among us, the Bishop of the Diocese ought to have more stringent powers; and therefore I go with the Committee on Canons exclusively and completely. I say that they are right, and that any other decision of this Convention under the facts of the case will exhibit an absurdity upon our part, a stultifying of ourselves under sentimental notions.

People may think that does not suit precisely, that I have not authority for it; but I wish to cite a little matter that occurred in Chicago. Here is a Rev. Mr. Cooper who made some noise, and Rev. Mr. Cooper is tried and fixed up, as I understand; he is degraded from the ministry of the American Church, but the Rev. Mr. Cooper is an Englishman, and he understands the law; he understood the position better than my friends here who defend this change; and so the Rev. Mr. Cooper says "All very well; I am silenced in the American Church, but I am a clergyman of the English Church; the sentence of your Court does not run in England, and therefore I will officiate as an English clergyman in the city of Chicago, and until you can put me through in England, I have right and authority to do so!"

Mr. President, that, I think, is the law of the case, and, I think, under the circumstances, that when the laity and clergy of this Convention have considered all these things, instead of weakening

the powers of our Bishops, they will go in for strengthening them, and give to each and every one of our Bishops the power to stop a clergyman of England, or other Orders, from coming in and going through this country, and I think that the right ought to be given to them absolutely, without respect to letters of character, or anything else.

["Question," "Question."]

The Rev. Dr. FRANKLIN, of Indiana. I appeal to the courtesy of this House to give me the opportunity to reply.

The PRESIDENT. The gentleman from Indiana has spoken twice, and unless the House gives permission he cannot speak again.

The Rev. Dr. FRANKLIN, of Indiana. I wish to add but a word.

Mr. MASSEY, of Virginia. I move that permission be granted. The motion was agreed to.

The Rev. Dr. FRANKLIN, of Indiana. I would not have insisted upon this, gentlemen, if I had not thought, and do not yet think, that I have the right of the case. The arguments on the other side have been presented with great weight, and with great pungency of wit. But now, sir, I wish to go back where the gentleman who last spoke desired the thing should be, on law pure and simple. I do not wish to curtail the prerogatives of the Bishops. The question is, whether it belongs to the prerogative of a Bishop to refuse the right in this Church to exercise his ministry by a foreign clergyman, when there is a parish desiring his services.

The PRESIDENT. The gentleman will suspend his remarks. There is a message from the House of Bishops.

JOINT ASSEMBLY FOR PRAYER.

The following message (No. 3) was received from the House of Bishops:

The House of Bishops informs the House of Clerical and Lay Deputies that it has adopted the following resolution:

Resolved, That a committee of two be appointed to confer with a Committee of the House of Clerical and Lay Deputies on the subject of a place of joint assemblage for the daily morning prayer.

And that under the above resolution, the Right Rev. the Bishop of Maryland, and the Right Rev. the Assistant Bishop of Ohio, have been appointed such committee on the part of this House.

SERMON OF THE BISHOP OF LICHFIELD.

The following message (No. 4) was received from the House of Bishops:

The House of Bishops informs the House of Clerical and Lay Deputies that it has adopted the following resolution:

Resolved, That a committee be appointed to act in concurrence with the committee of the House of Clerical and Lay Deputies in inviting the Lord Bishop of Lichfield to preach before the General Convention, and that the committee be instructed to arrange for this service for Monday evening next.

And that under the above resolution, the Right Rev. the Bishop of Delaware, and the Right Rev. the Bishop of Connecticut, have been appointed as such committee on the part of this House.

SERVICES OF FOREIGN CLERGYMEN.

The House resumed the consideration of the report of the Committee on Canons.

The Rev. Dr. FRANKLIN, of Indiana. The objection upon which the argument of the gentleman from Wisconsin turned, was that there was not a disposition on the part of the Church of England to reciprocate this privilege here. Sir, we have an opportunity as the American Church to rival now the American Government. The American Government suffered a terrible wrong from the English Government, and the feeling that we inherited from our ancestors of retaliation, was alive, and many were anxious to have an opportunity to measure back to England what we had received; and if any such policy had been adopted by the country, it would have been met by a shout of acclaim, and we should have had war between these two branches of that noble race, which God has destined for such noble work. But, sir, we have here sitting on this floor the man—I am thankful that he was trained by the Church in America—who instituted a policy which showed no disposition on the part of those who were leading the American power, to take vengeance for wrong; but he instituted a course which has resulted in a treaty for which we all thank God. Now the countries are drawn together, and will be drawn together still more closely. Could they have been drawn together, if the influence of my witty and learned friend from Wisconsin had been felt in the councils of the nation, as it is evidently felt in the councils of this Church? So much for reciprocity. I am very glad that we shall have an opportunity of setting our mother Church a good example. I leave reciprocity.

Next as to the law. Has a Bishop the right, is it part of his prerogative, to deny to a worthy person the privilege to exercise his ministry among his brethren here in this country? "Worthy," I say. I thought that point was guarded; it was originally guarded; it was in the Canon before: "And also that he has exhibited to the Bishop or Standing Committee satisfactory evidence of his pious and moral character, and his theological acquirements." "Satisfactory evidence." Who is to decide upon what is "satisfactory"? The Bishop and Standing Committee. Are we to suppose that any Bishop will be taken in by those shallow and transparent arts that have been referred to already on this floor? Will he receive letters twenty years old, on paper that was made a year ago? Can we not trust our Bishops to examine into these things? Are we going to express a want of confidence in our Bishops—a want of confidence in the common sense of our Bishops—a want of confidence in the good sense of our Bishops? Will they not examine into all these points? Can they not examine into them? Have they not sufficient power and authority, by virtue of their prerogative? And where is the man who will stand higher and stronger than I will on the rights and prerogatives of the Bishops?

Again, sir, an argument has been made respecting transfer. The point of transfer is not touched, but this is merely for occasional temporary services. It has been said by a learned gentleman, that it would throw discredit upon our whole community of presbyters. Sir, our presbyters are very busy, all of them; and those who are the busiest and the most attentive to their duties and the most successful, are the very

ones who would welcome warmly any one from a foreign Church in communion with this Church, who had shown that he had peculiar aptitude for peculiar work, not because we might not do so, but because he has tried it, and we should like to see how he does it, in order that we should learn from him.

Reciprocity! Episcopal prerogative! Transfer—these, I think, are the only points, and it does seem to me that these points are fully answered. I do not think that there has been any sentiment on this side of the argument. There has been wit, as well as weight, on the other side; but there has been, as it seems to me, more clear and distinct logical reasoning on this side. And now for an instance in point! just across the border there is another branch of this Anglo-Saxon race still divided from us, but not long, we trust, even to be politically divided.

The PRESIDENT. The deputy is out of order.

The Rev. Dr. FRANKLIN, of Indiana. It is part of the argument. I refer to this as an instance.

The PRESIDENT. The gentleman is going into politics, and he must do without his instance.

The Rev. Dr. FRANKLIN, of Indiana. I yield, and will say no more.

The PRESIDENT. The question, I presume, must come up in this way, as the Committee on Canons reported no resolution, but simply that the proposed alteration is inexpedient, we must understand the Rev. Deputy from Indiana, as moving that this House pass his proposed amendment, notwithstanding the adverse report of the Committee. That amendment to the Canon, it is hardly necessary to read again, as I suppose the whole House understands the question. The question is on the motion of the Deputy from Indiana to amend Canon 10 of Title 1, in the manner proposed.

The motion was rejected.

ORGANIZATION ON COMMITTEE ON CANONS.

The Rev. Dr. HAIGHT, of New York. I now make a Report, which should have preceded the one just voted on.

The Committee on Canons respectfully report that immediately upon the adjournment of the House on the second day of this session, they met for organization, the Rev. William Cooper Mead, D.D., being chairman, and appointed the Rev. Benjamin I. Haight, D.D., to be their secretary, who has appointed, with the approval of the Committee, the Rev. Francis Harrison to be assistant secretary.

FORMATION OF A NEW DIOCESE IN PENNSYLVANIA.

The Rev. Mr. HANCKEL, of Virginia. The Committee on New Dioceses, to whom was referred the memorial of the Protestant Episcopal Church of the Diocese of Pennsylvania, respectfully report, that having examined the documents committed to them, and found them to be correct, they recommend the adoption of the following preamble and resolution:

WHEREAS, Deputies from the Diocese of Pennsylvania have laid before the Convention a resolution of the Convention of that Diocese, consenting that a new Diocese be erected in the present Diocese of Pennsylvania, to consist of that part of the said Diocese, outside of the counties of Phila-

delphia, Delaware, Chester, Montgomery, and Bucks; and whereas, it appears by official documents laid before this House, that the Bishop of Pennsylvania has consented to the erection of the said Diocese, and that all the requirements of the 5th Article of the Constitution, and of the Canons, are fulfilled; therefore, be it

Resolved, That this House do concur in the action of the House of Bishops communicated to them yesterday, consenting to and ratifying the formation of the proposed new Diocese, and do hereby recognize the union with the General Convention of the said new Diocese, to take effect on the first day of November next; the name of the said new Diocese to be determined by the Primary Convention thereof, with the consent of the Bishop of Pennsylvania.

The Rev. Mr. SPAULDING, of Pittsburgh. I move to amend the resolution, by striking out all that part requiring the consent of the Bishop of Pennsylvania to the name of the new diocese.

The Rev. Mr. HANCKEL, of Virginia. I would simply mention that we followed the form adopted in the case of the Diocese of Long Island, and that diocese discussed at its primary Convention the name, whether it should be Long Island, or Brooklyn. This is simply to allow the Primary Convention in this case, to do the same, with the consent of the Bishop.

The Rev. Mr. MARPLE, of Pennsylvania. I would mention that not only is this true in reference to that diocese, but it is true in reference to other dioceses.

The Rev. Mr. SPAULDING, of Pittsburgh. My object in moving the amendment is to arrest a bad precedent that seems to be coming into this Church, giving the Bishop a veto upon the acts of the Convention of the diocese. I think that is not the case in the American Church, with the exception of one single diocese, and I know no reason why this precedent should be established, as it is becoming established, of giving to the Bishop a veto upon the acts of the Diocesan Convention, and he not the Bishop of the diocese, but the Bishop of another diocese. If there are reasons for this, I should like very much that this Convention should be informed of them; but I conceive that there is no reason but that the Primary Convention of the diocese should have a right to name the diocese, that Convention being the only party interested in naming the diocese.

The Rev. Dr. HOWE, of Pennsylvania. It is supposable at least, that this new diocese, to be organized out of the present diocese of Pennsylvania, embracing a much greater extent of territory than will be left in the old diocese, containing the city of Philadelphia, might perchance choose to call this the Diocese of Pennsylvania; and has not the old diocese some rights in this matter, and shall it not express its opinion upon those rights by the voice of its Bishop?

The Rev. Dr. MEAD, of Connecticut. I was about to make the same remark that Dr. Howe has just made. There are legal questions that may be connected with this. They may call themselves the Diocese of Pennsylvania, in such and such counties; and then comes the question, whether they are not entitled, legally, to a division of the Episcopal fund of Pennsylvania. A case occurred in 1824, in the Diocese of New York, of this character, in relation to a parish. The wardens and vestrymen of Christ Church Parish, in Ann street, sold the Church to an English gentleman, who

was about taking Orders. They had built a church up in Anthony street. I was a member of the New York Convention when the new incorporation asked to be admitted into union with the Convention under the title of "Christ's Protestant Episcopal Church." It was rather a singular freak we thought, especially for an English gentleman to have; but when we came to examine it, this was the very title of the old parish, and that parish was endowed by Trinity Church. The question came up, and legal gentlemen said, "Here is an opportunity for legal litigation from the very name," and they sent it back to them, and made them change their name. Something of that kind might be done here, unless the Bishop of the Diocese of Pennsylvania, now existing, has opportunity to defend himself and his diocese. I say it is right, it is just, that the Bishop should have something to say, or a negative on the Convention in this matter.

The Rev. Dr. BURGESS, of Massachusetts. It strikes me that the principle presented by the deputy from Pittsburgh is a correct principle, and ought to be recognized by this Convention. We ought to take cognizance of principles before we take cognizance of incidents, of matters which may occur under our action. We are not likely to have any difficulty with regard to this. If the Convention of the Diocese of Pennsylvania had anything to say upon the subject, the time to say it has now passed by; it ought not to require the General Convention to say what it should have said itself. The Diocese of Pennsylvania had full power, in dismissing this new part, to say that it should not adopt that name, or that it should have only a name which might be recognized and allowed by the Bishop of the Diocese of Pennsylvania.

Since the brethren have been stating some instances, allow me to state one also. Suppose the Bishop of the Diocese of Pennsylvania, tired of Philadelphia and its vicinity, desiring a country residence, preferring the churches in the country, should select, after the establishment of this diocese, this diocese instead of the old diocese, of which he should be Diocesan (which is entirely in accordance with the Canons and Constitution of the Church, and which may happen as soon as any of the matters which have been presented are likely to happen), and suppose that Bishop to insist that the old name should go with the new diocese, and should refuse any other name but that name? It is just as likely that he will choose that as that the Convention itself will choose the old name, and insist on having it. So, I say, let us settle down on the principle that the Bishop of another diocese shall not have a veto over the proceedings of a different diocese from that of which he is Diocesan—a worse state of things than that he should have a veto over the proceedings of his own diocese. I hope the amendment of the Deputy from Pittsburgh will pass.

The Rev. Mr. SPAULDING, of Pittsburgh. I wish to modify my amendment by proposing to strike out all as to the name and inserting the words:

"Provided it does not take the name of any existing diocese."

Mr. WELSH, of Pennsylvania. In reply to the argument of the reverend gentlemen from Massachusetts, I will state that the Diocese of Pennsylvania knew its rights, but, it also knew that the General Convention had established a precedent

and, based upon that precedent, it was willing to act. In the case of the diocese of Pittsburgh that precedent was followed, and it strikes me as being safe and necessary. This amendment is in violation of the precedent. Surely the Bishop is the Bishop of the new diocese in its formation, and ought to be consulted as the representative of the new diocese, unless the General Convention choose to give it a name. Some little restriction should be put; and this adopted by the General Convention, is undoubtedly the smallest restriction that would be safe.

Mr. BARTHOLOW, of Kansas. The Constitution settles this question. It provides in Article 5:

"No new diocese shall be formed or erected within the limits of any other diocese, nor shall any diocese be formed by the junction of two or more dioceses or parts of dioceses, unless with the consent of the Bishop and Convention of each of the dioceses concerned, as well as of the General Convention."

This matter has not yet been settled by the General Convention, and of course requires the consent of the Bishop of the Diocese. The Constitution guards every question involved.

The Rev. Dr. DALZELL, of Louisiana. I beg, as a member of the Committee that reported this resolution, to say that it was the especial desire of the Committee that this question should be tested on the floor of this House, and that the sense of the House should be taken, whether it was the desire that the precedent which had been established in the case of Long Island should be continued, or whether it was the desire of the House that no such precedent should be established, and that it should be left to the dioceses themselves to say what their respective names shall be, when they are organized. I, for one, am very much in favor of diocesan independence, and I believe it to be an inherent right of the diocese to give itself a name when it comes into being; but we considered also that there was a certain amount of respectable courtesy due to our Fathers in God. We look to our godfathers and godmothers for our own names; and our Fathers in God, whose children these dioceses may be supposed to be when they are set off from their old and well-established dioceses, ought certainly to have some measure of respect, if nothing more, shown to them when the question of nomenclature presents itself.

The Committee, however, who present this preamble and this resolution to this House, will be perfectly satisfied whichever way the House decides upon this question.

Mr. RUGGLES, of New York. Being one of that Committee, I have but a word to say. We deemed that amendment a very important amendment, to settle what shall be the practice of this House in similar cases, and we regard that the Bishop had a just right to be consulted in the naming of a new diocese. We also urge it upon the ground that the precedent having been established by the previous action of this body at a preceding session, the Bishop of Pennsylvania had good ground to suppose that that right would be reserved to him as it had been before; else he could have made his objection at that time; but he rested quietly, no doubt, under the belief that the same precedent would be followed which had been

established by the previous Convention. It would be very strange indeed, as the Bishop had a right to withhold his consent and exercise his veto absolutely and entirely, from anything whatsoever, if he could not exercise the power on the mere name of the new diocese. This only allows him a veto in case some very objectionable name should be chosen for the diocese, which of course is not probable, but certainly is possible. Every man, everybody has a right to his own name as an established principle of law; but any man who assumes the name of another is punishable for it. A man has a common-right law to his own name, and no other man shall have it; and it is the same with a diocese.

The Rev. Dr. THOMPSON, of Illinois. I wish to say that in the making of new dioceses, there is a certain principle; and I think we can get at right action in the matter by understanding the principle. Where does the power lie to create a new diocese? Not in the Bishop of an existing diocese, and not in an existing diocese itself; but in the general Church, the National Church, that controls all the dioceses. There lies the power to erect a new see or a new diocese. Now, this General Convention represents the National Church of the country, and has the power to create new dioceses according to its wisdom. In that creation, however, it cannot touch, and ought not to touch, vested rights, and our Canons are constructed on that idea. It must not touch the right of any existing Bishop or any existing diocese; but it has itself the supreme right over all. It has therefore the apparent right of naming the new diocese. It can, however, delegate that right to any parties that it sees fit; it can delegate that right, the naming of the new diocese, to the new diocese itself, or to the new diocese in conjunction with a Bishop, or with the House of Bishops, or in any other way that it sees fit.

This Convention has the absolute right to name a diocese which itself makes. The House of Deputies and the House of Bishops have a right to erect and form dioceses in the American Church according to their absolute wisdom, not touching vested rights; and they have the right to give them such boundaries and such names as are fit.

Now it is entirely in the hands of this Convention as to whom they shall commit the power of naming this new diocese. If they shall say that the Primary Convention of the diocese has a right to name it, it has it, not because it has the right of itself, but because this Convention consents to allow it to exercise the right. There is a supreme power in the Church which has the power to erect dioceses and to name them, and it is here; and this Convention, therefore, has that absolute right, and giving it to the Diocesan Convention it gives a right which that Convention does not have inherently; it has no right at all to adopt its own name.

Is it the wise way in this Convention to cast away that right, an important one—and make a precedent of doing it—into the hands absolutely of every primary convention; or ought we not, in delegating such a right, to guard it in some degree at least, and I do not see how it can be well guarded in any less degree than the Committee propose to guard it, by providing that it shall be exercised with the consent of the Bishop, who is the Bishop of these clergymen and these laymen now. Unless this House, with the Upper House, is prepared to name the diocese itself, it cannot throw the power of naming it broadcast in this way to a body, without taking some guards and guarantees.

Mr. CARTER, of Maryland. Mr. President, it seems to me that a very brief consideration of this matter will rid it of any real difficulty. With regard to the remarks of the delegate from Kansas, that this matter is settled by the Constitution of the Convention, I think, on reflection even he will agree, that that is not sound. The only thing made necessary by the Constitution, is, that the act of setting off a new diocese should receive the assent of the General Convention of the Church, first; and second, of the Convention and Bishop of that diocese from which the new diocese is to be taken. The constitutional provision does not at all purport to affix the name to the new diocese which is to be set off.

The Constitution, then, being out of the question, so far as settling that matter, I think that the remarks of the delegate from Illinois, who has just taken his seat, are also not founded in right reason. It is not true, I respectfully submit, that this Convention has any more to do with fixing the name of the diocese thus newly to be formed, than has the diocese out of which the new diocese is to be formed because the Constitution says that no new diocese shall be formed without the assent of the General Convention, and the assent of the Bishop and of the diocese out of which the new diocese is to be formed. Therefore, so far as the fixing of the name is concerned, it appertains just as much as a question of original power, to the Bishop and the Diocesan Convention or the Diocesan Convention alone, to fix the name as it appertains to the General Convention. Then, when the Diocesan Convention of the new diocese, leave for the forming of which has been given, where permission is given, fixes its own name, it is not from any delegation of power from this Convention, but it inheres as much in the Convention of that diocese as it does in this Convention.

It being, therefore, true, as I submit, that the selection of the name of the new diocese to be formed, is a matter which should primarily and conclusively devolve upon the diocese thus to be formed, let us see if there is any other objection to the amendment proposed by the Reverend Deputy from Pittsburgh.

The first objection made to it was by the Clerical Deputy from Pennsylvania, that if the assent of the Bishop of Pennsylvania was not made necessary, it might be that the aspiring new diocese would choose to select the name of Pennsylvania. I respectfully submit that there can be nothing in that objection, because the fact that a new diocese is constituted out of the Diocese of Pennsylvania necessarily shows that the Diocese of Pennsylvania is left; and when you give leave to form a new diocese out of Pennsylvania, of necessity you leave Pennsylvania in existence. Just as pertinent would it be to say that this new diocese might come down to Maryland, and select the name of Maryland for the diocese thus to be formed, so that there would be two Marylands, because the language of the resolution of the House of Bishops is, that the Convention ratifies the formation of the new diocese "within the limits of the Diocese of Pennsylvania, to be composed," etc. When you form a "new diocese within the limits of Pennsylvania," necessarily Pennsylvania stands intact, and the Bishop of Pennsylvania will still be called the Bishop of Pennsylvania, as much as the Bishop of Maryland will be called the Bishop of Maryland, and the Diocese of Pennsylvania remains as much as the Diocese of Maryland.

As to what is the proper tribunal to determine this question, is it not the Convention of the new diocese,

leave to form which, when this resolution passes, will have been given by the Canonical authorities, to wit: the Bishop and the Diocese of Pennsylvania already given, and by this Convention, to be given by the vote of the two Houses? Is it not perfectly proper, when that assent has been given, that the name of the new diocese should be selected alone by that new diocese? If this were a question of courtesy, as some of my brothers have said, to the Bishops, if it were supposed to be a prerogative belonging to the Bishops, no member of this House would be slower than I to in any sense or shape curtail that prerogative; but it is not so. With what more propriety, I ask, should you give the Bishop of Pennsylvania a negative upon the selection of this name than you should give a negative to the Bishop of Pittsburgh? What is now the Diocese of Pittsburgh was formerly part of the Diocese of Pennsylvania. If the new diocese, as I have already shown, cannot, by any possibility, take the name of Pennsylvania, because that is reserved to the diocese which is left, why should not the Bishop of Pittsburgh have the same negative upon the selection of the name as the Bishop of Pennsylvania? The Bishop of Pittsburgh has no more right to be consulted in that than has the Bishop of Maryland. Why? Because he is simply one of the Bishops of the Church, and if the title of the Bishop of Pennsylvania is not to be affected by this, why should he be consulted any more than any other Bishop? To be consistent, if it is a prerogative of the Bishops, you should say, "Provided it meets with the assent of the Bishops of the Church," and not select the Bishop of Pennsylvania, who does not hold any such relations to the question as to entitle him to have a say in the matter, any more than any other Bishop.

I suppose the Rev. Deputy from Pittsburgh who moved this amendment had not in his eye at all any possibility of any contrariety of opinion between the Bishop of Pennsylvania on this subject and the convention of the new diocese to be formed; but when the matter has been brought to issue, if we are to settle it at all, it should be settled upon the true principle, which seems to me to be to leave the name to be selected by those whose name it is to be.

Mr. BARTHOLOW, of Kansas. We do not suppose the Convention will adopt the name of Pennsylvania, but we think there may be danger in the action of the new organization. They may take the name of Pennsylvania, and there is wherein we prefer that the Bishop should decide this question.

Mr. COMSTOCK, of Central New York. A precedent is not to be made at all events, if one has not been made before. The matter, therefore, becomes somewhat important, and should be decided by the House upon due consideration. For myself, I do not particularly sympathize with the evident wish of the old Diocese of Pennsylvania to impose a name upon the new diocese. I have no doubt of the power of this Convention to give a name to the diocese; I have no doubt of its power to delegate that authority; but I fail to see the propriety of delegating the authority jointly to the Bishop of the old diocese and to the new diocese. If the diocese to be formed can exercise any right whatever, it seems to me it has as plainly the right to give itself the name which it prefers as any other. Dioceses have some rights;

and if they have any which are clear, what are they, unless it be to choose their own name? It seems to me, Mr. President, that the Diocese of Pennsylvania might just as well seek to impose a Bishop on a new diocese as to impose a name, for the exercise of the power of electing a Bishop is far more delicate and important than the power of selecting a name.

I hope, Mr. President, this amendment will prevail.

The Rev. Dr. HOWE, of Pennsylvania. Mr. President, in the remarks of several gentlemen upon this question, reference has been made to the fact that the consent of the Bishop of New York was demanded in regard to the naming of the Diocese of Long Island, as if that were the only instance in the history of this Church in which the Bishop of the whole diocese has had to be consulted in reference to the naming of a part of it on separation. Now the fact is, that in the division already made of the Diocese of Pennsylvania, a similar provision was introduced into the resolution by which they were authorized to set themselves apart. Therefore, we considered that we had a precedent, and if we had not so considered, we might have thought it necessary to take the precautionary measure of prescribing the name, or of consenting conditionally, or the Bishop might have consented conditionally. But we proceeded upon our past experience, and said nothing about the name, because we knew that the Bishop would have something to say about it at the last.

Now, if the Convention is unwilling to establish this precedent, that a Bishop shall have a voice in the determination of the name of a diocese formed out of his diocese, why not adopt some measure that is prospective—in reference to the future? Why make this law, which is virtually *ex post facto*, which governs the case in which we have been proceeding upon a certain presumption, which presumption was based upon the previous action of this General Convention?

Gentlemen speak of the possibility that the Bishop, as well as the name, might be prescribed to a diocese. Do not gentlemen know that by the article of the Constitution wherein provision is made for the division of a diocese, the Bishop may choose, after the division, which of the dioceses he pleases? and does not that imply that up to that time he is the Bishop of the whole; that it is not a foreign Bishop that has something to do with the determination of the name, but it is the Bishop of that diocese as well as of the other? Up to the time that he makes his election, as I understand the Constitution, he is Bishop of the whole.

The Rev. Mr. EGAR, of Pittsburgh. In reply to any objection that may be made to the amendment of my colleague from Pittsburgh, that it is interfering with the prerogatives of the Bishops, I simply call attention to the fact that the Bishops did not impose this condition, that it is an addition to the resolution as it came from the House of Bishops, and I will read the message of the House of Bishops:

"A message (No. 2) from the House of Bishops announced that that House had adopted the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That this Convention hereby consents to,

and ratifies the formation of a new diocese within the limits of the Diocese of Pennsylvania, to be composed of all that part of said Diocese outside of the counties of Philadelphia, Delaware, Chester, Montgomery, and Bucks."

Everything beyond that, in the resolution reported by the Committee on the Formation of New Dioceses, is an addition to the resolution of the House of Bishops, to be ratified by this House, and then sent up to the House of Bishops for their concurrence. So far, therefore, as any tenderness for the rights of the Bishop of Pennsylvania in this matter is concerned, he has had the opportunity, if he had rights, to plead them before the House of Bishops, and the House of Bishops the opportunity to pass judgment upon them, and therefore inasmuch as their own Order has not felt that tenderness for them, it does not seem any disrespect in us to pass the resolution, without providing for the consent of the Bishop of Pennsylvania.

I wish also to say, that I think the deputy from Illinois is wrong with respect to the theory of the formation of new dioceses so far as the same may be gathered from what is said in the Constitution and Canons. Article 5 of the Constitution provides:

"A Protestant Episcopal Church in any of the United States, or any Territory thereof, not now represented, may, at any time hereafter, be admitted on acceding to this Constitution; and a new diocese, to be formed from one or more existing dioceses, may be admitted under the following restrictions:

"No new diocese shall be formed or erected within the limits of any other diocese, nor shall any diocese be formed by the junction of two or more dioceses, or parts of dioceses, unless with the consent of the Bishop and convention of each of the dioceses concerned, as well as of the General Convention."

It seems to me that this article of the Constitution supposes that the initiation of the proceedings in the formation of a new diocese belongs to the people themselves; and if you look through the article of the Constitution, I think you will find that that is so in respect to the relation of the proposed new diocese to the old diocese. The old diocese consents to the formation, after the formation has been initiated by the people themselves.

Then in respect to the objection that they may take the name of the Diocese of Pennsylvania, I find in Canon 6, Title III., this provision:

"Whenever one diocese is about to be divided into two dioceses, the convention of such diocese shall declare which portion thereof is to be the new diocese, and shall make the same known to the General Convention before the ratification of such division."

The "ratification," mind you, not the authorization thereof. Well, sir, the Diocese of Pennsylvania declares that that part which remains inside the five counties is the old diocese; that the diocese which is set off is the new diocese. Therefore, the Diocese of Pennsylvania, as the deputy from Maryland said, is now in existence, and it is not within the range of reason that the new diocese will take that name. I think that effectually disposes of the objections to the amendment of the deputy from Pittsburgh.

I will say, further, that it behooves members of this House to consider this matter in view of facts which may be present in their minds, but which are not often alluded to, facts which may not occur, and I do not wish to be considered as implying that they will occur in the case of a proposed new diocese; but the case might occur where, from

party or other motives, a Bishop might obstruct the organization of a new diocese altogether, for reasons not given, simply by refusing to give the new diocese a name. We all know that there are parties in the Church, and we know that those parties are frequently very evenly balanced. Let us suppose a case. There might be, we will say, twenty-six presbyters in a diocese of one party complexion, and twenty-six of another, and it might be desirable to obtain a means by which a majority might be determined on one side or another, so as to secure the election of a Bishop of a certain party complexion. It seems to me this provision would be a very effective instrument for procuring such an election. I merely give this as an illustration of the way in which this thing might work out certain results, in case it were made a precedent.

I think the new diocese ought to have the right to give itself a name, and inasmuch as the House of Bishops has not insisted upon it as part of the Episcopal prerogative, that the Bishop of Pennsylvania, in the case under consideration, should have a veto upon the name, it is unnecessary for this House to insist upon it. I hope, therefore, that the proposition of the Deputy from Pittsburgh will pass, and I shall be in favor, if it be in order, of striking out from the report of the Committee all that is not contained in the resolution of the House of Bishops, and simply concurring in that resolution.

Mr. KING, of Long Island. As Long Island has frequently been adverted to, I wish simply to say that our venerable prelate presided over our Primary Convention, and, with his usual courtesy, delegated to us who were deputies, the right to fix our own name. In our case it was very clear that it was a diocese within itself, complete in its bounds, and there was no question as to the name. There was some little feeling, at first, as to the question whether we should be permitted to name our own diocese; but we were so permitted, and we should have felt aggrieved had we not been. Inasmuch, therefore, as the resolution in this case comes to us from the House of Bishops without any restriction upon the new diocese, it seems to me to be right that each diocese should have within itself the power to name itself.

The Rev. Dr. GOODWIN, of Pennsylvania. I have simply risen to prevent the spread of an impression, which seems to possess the minds of some members of the Convention. We have heard of the "evident" wish of Pennsylvania to retain this power of its Bishop in naming the new diocese. I simply rise to say, that I do not know what the evidence was of that wish; but there are two things that I do know. In the first place, I know that several of the gentlemen around me, and I am inclined to think a majority of the delegation from Pennsylvania are ready to vote on the other side, and, secondly, the clerical deputy from Pennsylvania, who spoke on this question, spoke as a member of the Committee, as I understand.

The Rev. Dr. HOWE, of Pennsylvania. No, sir.

The Rev. Dr. GOODWIN, of Pennsylvania. Then I do not know upon what authority the word "we" was used. I supposed he was on the committee. His saying that "we" felt so and so, may have created the impression to which I have alluded.

The Rev. Dr. HOWE, of Pennsylvania. I am

very sorry if I used the plural pronoun; I was not aware that I did.

The Rev. Dr. GOODWIN, of Pennsylvania. Then I have only to say, before sitting down, that for myself I have felt disposed all the while, from a certain conservative tendency that I have, to follow precedents already established, and I really think the question in itself is of the least importance imaginable, and I care not which way it is decided.

The Rev. Dr. SCHENCK, of Long Island. I fully agree with the clerical deputy from Pennsylvania, who has just taken his seat, that this question is of very little importance, unless we introduce general principles, and propose establishing precedents to govern subsequent action, and then it becomes a question of a good deal of consequence. I cannot agree with the lay deputy from New York, who says it is important for us to establish a precedent on this subject. I beg to submit that this matter is not properly before the House for discussion. This House has only in its power to ratify the action that is sent up, not to amend it. By turning to canon 6, we read:

"Whenever any new diocese shall be formed within the limits of any other diocese, or by the junction of two or more dioceses, or parts of dioceses, and the same shall have been ratified by the General Convention," etc.

I confess that, beyond this, there have been propositions submitted in this discussion that have astonished me not a little. The distinguished Clerical Deputy from Illinois, in presenting the philosophy of this case, has certainly suggested a theory which seems to me very novel in the polity of the Church in this country. I do not understand that the dioceses are the creation of this Convention. Certainly, there is nothing in our Constitution or Canons that will give you a warrant for any such conclusion. We read in the very Canon to which I have just referred; "Whenever any new diocese shall be formed." How are they formed? By reference to other Canons, you will discover that they are formed by the voluntary action of the presbyters, in a certain section—not as was stated by the lay Deputy from Maryland, first, by the action of the General Convention and then by the action of the Diocesan Convention out of whose territory the new diocese is to be formed; but in the other order; first, by the authorization of the Convention of that diocese out of whose territory the new diocese is to be formed; and after that authorization is received, then you have the ratification of the General Convention. After that has been done, the way is clear for the presbyters and laity residing within that district, to meet and form their diocese.

This Convention is the creation of these dioceses; it is made up of these dioceses. What are we here but representatives of the different dioceses? And, according to the analogy which has been submitted in debates of this House for a great many years past, (and which I think has never been successfully, if at all, attempted to be controverted,) we are following very much in our organization, the analogy of the civil Constitution in this country. Our civil Constitution says that all the rights that are not delegated by the States are reserved; and I think that is the position which is held very generally by those who have given much thought to the organization of our Church, that the rights which are not delegated by the several dioceses in our Constitution and Canons, to

the General Convention, are reserved to the dioceses. I agree with what has been said with reference to diocesan independency, and I do not conceive for a moment that this Convention has any right to name any diocese that is formed by action originating with a diocesan convention, and under a constitution and canons which are prepared originally by the presbyters and laymen, who meet for the purpose of such organization. We have only the power of ratification. There is nothing in the organic law of the Church which authorizes us to send down a name to a diocese that is formed, and therefore I do not see that we have any right to establish a precedent here for any other case. This matter must be settled by the diocese for itself, in its relation to the parent diocese, from which it sprang.

Now, with reference to the name, and the supposed veto power of the Bishop, the clerical deputy from Philadelphia (the Rev. Dr. Howe) touched the thing very nicely. I was only sorry he did not add one or two ideas further. The Bishop of the parent diocese is the Bishop of the new diocese until her organization is complete, and he has also the option to select either the new diocese or his old diocese for his own, and when the time comes, of course he may select the new diocese, and as he has the option of two dioceses, it is but a matter of ordinary courtesy that he should have something to do with the naming of the new diocese, whose name he is to wear. I can readily understand that, if a new diocese was to be formed out of the diocese of Maine, and the new diocese should be called the Androscoggin, no one of our distinguished presbyters would like to go down to posterity as the Bishop of Androscoggin. [Laughter.] I can readily understand that if, in the Diocese of Virginia, a new diocese should be formed to be known as the Diocese of Bull Run, nobody would be particularly anxious to be Bishop of Bull Run. [Laughter.] I think we should leave this matter to be settled, not by any precedent, not by any action of our own, but leave it where it belongs, under the Constitution and Canons, to be settled between the old and the new diocese. I do not think this body has any jurisdiction whatever over it.

The Rev. Dr. LEEDS, of Maryland. I move, as a substitute for the pending amendment, to strike out all that part of the resolution additional to the resolution sent down to us by the House of Bishops, and I do it to get rid of the difficulties which this question has to encounter. This description is upon a point of very little moment, but it brings principles to view which it sifts pretty thoroughly. I am very glad of the discussion. But when it is borne in mind that the Bishop of the diocese out of which the new one is formed, is the presiding officer of the new diocese, will have his own voice there, and will be respectfully heard in respect to every question that will come before it, particularly in respect to its name, I think we may safely leave the whole question of its name to that Convention, with its presiding Bishop. No one can doubt for a moment that the courteous Bishop of Pennsylvania will act with all good taste and decorum in a matter of this kind.

I think the Church should be guarded against the impression that new dioceses are the creatures of the General Convention. The General Convention assumes no control over them in fixing their limits, or even suggesting their name, but only gives its assent to their formation. I think we may safely leave to these diocesan conventions their own nomenclature, and they will be good sponsors for their own children.

ture, and they will be good sponsors for their own children.

The allusion of my brother, the deputy from Louisiana, to the godfather's naming the child, did not strike me as a very happy one, for godfathers do not dismiss to some other person's care the child to whom they give a name in Holy Baptism. Therefore I think the right reverend father who from the moment of the division ceases to be the father of the new diocese, is not the person to baptize it with its new name.

I respectfully submit that the precedent is not newly formed, because when the Diocese of Easton was formed out of the Diocese of Maryland, the assent of the Bishop, and of the Standing Committee of the present diocese was required to that act, which would show that there has been no uniformity; and now if we strike out all of the Committee's resolution in addition to what the Bishops have demanded, it would relieve the question from further embarrassment, and would put an end to the precedents.

The Rev. Dr. VINTON, of Massachusetts. I second that motion.

Mr. FRANKLIN, of Pennsylvania. As a representative of that portion of the Diocese of Pennsylvania, territorially, which is to be cut off and form a new Diocese, I have to say, in my own behalf, and on behalf of those whom I may be said in that respect to represent, that we are perfectly content that this Convention should adopt the report of the Committee on new Dioceses as it stands. The only question, therefore, that can present itself to this Convention, is the general question of its being a precedent for future cases.

It appears to me that we can no longer say that there is nothing in a name, for certainly this matter of a name has given rise to considerable discussion in this body already; but I think the importance of this question as a precedent, is not so great as has been pressed upon the attention of this Convention, because every case of this kind will have different circumstances, and when hereafter propositions for new dioceses shall come before this Convention, the probability is that in many cases they will be settled in the first instance in the Convention of the diocese which is to be divided. Therefore, it strikes me that as a precedent this matter is of very little consequence. When a question arises hereafter in reference to new dioceses in which there may be some difference of opinion, it can then be settled; but we in Pennsylvania ask that the question with regard to this new diocese shall be settled upon the basis of the report of the Committee on New Dioceses.

The Rev. Dr. VINTON, of Massachusetts. As we are approaching the conclusion of this matter, I should like to look over the ground, and see just the point we have reached. It seems to me there is very great justice in the position taken, in the first place, that we are establishing a precedent, and in that precedent a principle. Principles are fertile. The occasion that gives rise to their enunciation may be a trifling one; but their fruits may be very weighty and important. So it may be here.

But let us look at the character of this legislation to which we are invited. It seems to me that nothing could come before us more gratuitously than this has come. In the Constitution of the Church we read

that the business of this Convention is simply to put its *imprimatur* upon, to ratify the proceedings of the diocese, the old one that is to remain and the new one that is to be formed. Our whole function terminates here, if I understand it. In that there is nothing said of any conditions to be prescribed afresh by this Convention. It is almost negative action that we have any right to exercise. It is simply saying to the diocese applying, "We have no objection, go on;" and there our whole power terminates. Now, sir, we are making aggressive legislation here. We are interposing conditions, as if we had any potentiality whatsoever in the formation of that diocese. The Constitution, it seems to me, does not give it to us.

Then we go back to the legislation of this Church. I do not understand that in giving its consent to the organization of any diocese in former times, this Convention has ever found it proper to annex a condition of this sort.

The Rev. Dr. HOWE, of Pennsylvania, and the Rev. Dr. MEAD, of Connecticut. Always.

The Rev. Dr. VINTON, of Massachusetts. Always prescribing the name?

The Rev. Dr. HOWE, of Pennsylvania. No, sir, not always prescribing the name, but always giving the Bishop a concurrent voice in it.

The Rev. Dr. VINTON, of Massachusetts. I had not heard that argument used, and I had not turned to the journal. That, certainly, alters the case, if it has been an invariable practice. Nevertheless, the House of Bishops have passed a resolution on this subject without that condition. In that House of Bishops sits the Bishop of the old and the proposed new diocese. No objection would seem to have been made by him which that House would recognize. Now, then, we do establish a very safe principle—a principle plainly recognized, I think, in the Constitution, that each diocese shall have its own independency maintained intact; that it shall multiply itself according to its own sense of propriety, simply referring to this Convention as the ultimate arbiter of that propriety, and asking them for an aye or no; and there, I think, our function terminates. Anything more than that seems to me gratuitous, meddling legislation.

Now, the Committee have taken it upon themselves to thrust before the House—I will not say to thrust; it is an invidious term—to introduce to the House a condition not contained in the message of the Bishops, and by the avowal of the members of that Committee, merely to give the House an opportunity to say whether it will establish a precedent, and in that precedent root a principle. I am sorry that the Committee felt called upon to do this gratuitous act, the testing of a principle that was not contested. I hope, therefore, that the motion of the gentleman from Maryland will pass, namely, to strike out all of the proposed resolution of the Committee on New Dioceses, and accept the resolution of the House of Bishops, without any alteration whatever. Am I not right, sir, that the House of Bishops did send down a message on this subject.

The PRESIDENT. Yes, sir.

The Rev. Dr. VINTON, of Massachusetts. And that message did not contain this condition, but the condition has been gratuitously added by the

Committee, and that addition has given rise to all this discussion, will go to the House of Bishops, will excite more or less discussion there, will come down here, and have to be reviewed. Now, sir, it seems to me that the wisest and most prudent legislation would be for us simply to strike out all that the Committee have proposed in addition to that proposed by the House of Bishops. It is simplest, easiest—settles the question, makes the principle sure; at any rate, it does not inaugurate or announce any new principle of questionable character, and, therefore, is the most conservative legislation we can possibly take.

The Rev. Dr. MEAD, of Connecticut. I call for the reading of the message of the House of Bishops, which was referred to the Committee. That is a very important point with me.

The SECRETARY read Message No. 2 from the House of Bishops.

The Rev. Dr. LEEDS, of Maryland. I move that, as a substitute for the resolution of the Committee.

The Rev. Dr. MEAD, of Connecticut. I agree with the gentleman from Massachusetts, that it is better for us to take the message of the House of Bishops, and confirm it.

The PRESIDENT. Then the proper motion would be to concur in the action of the House of Bishops.

The Rev. Dr. MEAD, of Connecticut. Certainly, and I make that motion.

Mr. RUGGLES, of New York. The resolution of the Committee contains another clause indispensable to be added, which was inadvertently omitted in the House of Bishops, to wit, the consent of this body to admit this new diocese into union with this Convention, which is always adopted as a necessary form, and indispensable to admit the new diocese into union with this Convention. That is part of the addition made by the Committee, and I hope that a part will not be stricken out.

The Rev. Dr. HARE, of Pennsylvania. I am very much surprised that this matter occasions so much difference of opinion. It seems to me a very trifle, and I am quite indifferent whether it be decided one way or the other. But it seems to be implied in some of the remarks that have been made, that the House of Bishops, rather than the House of Clerical and Lay Deputies, has the right of taking the initiative in this matter. That, I believe, is not according to the Constitution or practice of our Church. When, on a former occasion, the Diocese of Pennsylvania was divided, it was this House that took the initiative. They proposed that the new diocese should be set off, and that the Primary Convention should have the right of giving the name to the new diocese, provided the consent of the Bishop and the Standing Committee of the old Diocese of Pennsylvania should be had. When the matter came before the Bishops, they struck out so much of it as gave that power to the Standing Committee of the diocese, and all their action, and all the action of this House since that time, has been to give the Bishop a negative, not to give him the right to select the name, but a negative upon the Primary Convention. I see no reason for changing the established usage. But

as the thing is so very unimportant, whichever way it be decided, I will trouble the House no further.

The Rev. Dr. DALZELL, of Louisiana. I propose to offer a resolution, as a substitute for all that has gone before, which, I think, will settle this question. I move that the report be recommitted, with instructions to strike out that clause of the last resolution.

Mr. JUDD, of Illinois. That motion is out of order; at all events, I raise a question of order upon it. The Reverend Deputy from Pennsylvania moved a substitute as an amendment to an amendment, I believe.

The PRESIDENT. No, sir, it was called by him a substitute, but it was not properly so. It was an amendment to an amendment, and he has since so arranged it.

Mr. JUDD, of Illinois. Then I rise for the purpose of opposing the recommitment in a very few words. This matter was before the Committee, and did not elicit much discussion. The reason of that, and the reason of the action of the Committee was, as I understood, that a precedent had already been established—not only one, but numerous precedents, and the Committee were only carrying out and following out the line of precedents which had been adopted by this body.

I am glad to find myself agreeing with some gentlemen on this floor, who proclaim themselves to be conservative. I am also conservative, and being conservative, I desire to conserve the power and the right of the Bishops of the various Dioceses. The learned professor, one of the Deputies from Pennsylvania, (the Rev. Dr. Goodwin), avows himself to be upon this basis, and I am happy to be able to agree with him, for upon former occasions I have not been able to concur with some of his views in respect to the powers of the Bishop.

The naming of a proposed diocese may not be of so much importance; but the principle underlying it is of great importance, in my judgment. Hence, the more I think about it the more I think that the precedent which has been established by this House ought to be adhered to. In these latter days, Mr. President, we have got to departing more and more from the original basis on which the Church stood. That was, that the bishops have all authority in government and in discipline, and this House and all other legislative bodies of the Church derive whatever powers they have by delegation down through the bishops; and this authority and this power, I, for one, desire to adhere to and recognize now and upon all occasions.

It has been said that the House of Bishops have not prescribed this condition, and hence this House ought not to prescribe it. We know not whether this condition was proposed before that House. We know not what may have induced the House of Bishops not to take action upon that proposition. If that argument prevailed before this body, then we should also strike out the other proposition which fixes the time when this diocese shall go into operation as an independent diocese. The House of Bishops took no action upon that. Does that furnish an argument why this body should undertake no action upon it? Will gentlemen tell me when this diocese can go into operation, unless this body fixes the time? Is there any law of the Church which fixes the time, indepen-

dent of action which may be taken now and here? If so, I am not aware of that law.

But it is said by gentlemen that this body has no power to place restrictions upon the matter, that the power of the Convention under the Constitution is simply that of ratification, just as if this body possessed no power except what was defined and "nominated in the bond." I, for one, must protest against this doctrine. I hold that the powers of this body are not defined in that instrument, that it is not an instrument of delegation of powers, but perhaps of restriction of powers. If we have not the right to impose conditions, then indeed has this body gone beyond its right on many an occasion. I may say that this is analogous to the power of admitting States into the Union by the Congress of the United States. Will it be said that the Congress of the United States which has the power to admit new States, has no power to impose conditions? If so, that honorable body has violated the Constitution of the United States over and over again. I refer to this, not to draw any analogy between the Constitution of the United States and the Constitution of this body. I say we have the power to admit or not to admit this Diocese, and if we have that power, we have a right to impose restrictions and conditions upon its admission.

The Rev. Dr. SCHENCK, of Long Island. On what ground, may I ask the deputy?

Mr. JUDD, of Illinois. On the ground that the right of all persons, and all bodies to act involves the right of imposing conditions. If I make a contract with the learned deputy, have I not an inherent right to impose a condition before signing the contract, as to when it shall go into effect? I think so. I know of nothing written in this Constitution which says that this body shall not impose conditions. If there be any such thing, I have not found it.

The last objection which I desire to notice is, that the Bishop of Pennsylvania undoubtedly will give his consent; that there will be no trouble in this matter. That is not the point. He has already given his consent without imposing any conditions; and this was not reported, as I understand it by the Committee in this light, because of any action either by the House of Bishops, or by the Bishop of Pennsylvania. I believe that he will give his consent to the action of the Convention; but, suppose that the Bishop should see fit to select that diocese as his own, which he has a right to do, ought he not to have the right to have a voice in respect to the name of that diocese?

The Rev. Dr. HARE, of Pennsylvania. If the gentlemen will allow me a moment, perhaps what I have to say may terminate this discussion. I am authorized to say that the deputation from Pennsylvania concur in a willingness to let this matter be decided against what is supposed to be their wish. We all think it a matter of no importance whatever, whether the words referring the thing finally to the Bishop of our diocese, are stricken out or not.

Mr. JUDD, of Illinois. One word more.

The PRESIDENT. I think that should be sufficient for the action of the House.

Mr. JUDD, of Illinois. I care not to say anything further after the suggestion just made, except this.

The Deputy from Pennsylvania [The Rev. Dr. Howe] struck the true key-note when he said that the Bishop of Pennsylvania is the Bishop of this new diocese, and the Bishop ought to have a voice in the action of the diocese.

The PRESIDENT. The first question is on the recommitment of this subject. That proposition has not been sent to the Secretary's desk. Is it insisted upon?

The Rev. Dr. DALZELL, of Louisiana. No, sir, but I beg to iterate the point presented to the consideration of the House by the learned gentlemen from New York [Mr. Ruggles] that there is a clause succeeding that concurrence in the message—

The PRESIDENT. I only asked a question; and you have given a categorical answer. You say you do not insist on the motion to recommit.

The Rev. Dr. DALZELL, of Louisiana. No, sir.

The PRESIDENT. Then Dr. Goodwin is entitled to the floor.

The Rev. Dr. DALZELL, of Louisiana. If Dr. Goodwin will allow me, I wish to state this point: there is a clause of that resolution referring to the date from which the existence of this new diocese takes place, when it will be recognized as an integral portion of the Protestant Episcopal Church in the United States of America. Will you also strike out that? The clause of the resolution referring to the consent of the Bishop of Pennsylvania to the naming of that new diocese is contained in one and a half lines at the very far end of the resolution, and it strikes me that is all that it is necessary to strike out to meet the view of the clerical deputy from Pittsburgh.

The Rev. Dr. LEEDS, of Maryland. Allow me to say, that when that diocese applies for admission, we give our consent, and not before.

The Rev. Dr. HALL, of Long Island. I will state that the dioceses that have been formed heretofore under similar reports have been admitted into the Convention without any after act of the Convention. But I merely rose to point out to the House the fact that in passing the substitute offered by the delegate from Maryland, we leave out a great many, other questions of very great importance, to my mind of infinitely greater importance than the naming of this future bantling. The mode of admission of the diocese to be formed is provided for in the after part of the resolution. The time of the Primary Convention is also provided for. Will you omit those points and leave them to come up in another way? If so, I have nothing to say; but that is my objection, and the reason why I must vote against the substitute.

The Rev. Dr. LEEDS, of Maryland. Canon 6, Title 3, provides for all the gentlemen from Long Island, asks for. The presiding Bishop names the time and the "place for holding the next primary convention, subject only to the restriction in the exercise of his judgment, that he shall name a place within the jurisdiction to be set off."

The Rev. Dr. GOODWIN, of Pennsylvania. I must insist on my right to the floor. About all the points, perhaps all of any importance, that I rose to suggest to the House, have already been suggested. I have simply to add a word or two in confirmation of the importance of those suggestions. The substitute I understand not to be insisted upon.

The PRESIDENT. The motion to recommit was not insisted upon, but has been withdrawn.

The Rev. Dr. GOODWIN, of Pennsylvania. And that it seems to me is exactly what is most important to be insisted upon, for if you propose the

amendment to strike out all of the resolution after the reference to the House of Bishops, it seems to me we shall get our selves into further trouble, not that I or the delegation from Pennsylvania have any special interest or feeling in the case; but some how or other this diocese will have to be admitted. Some how or other it must be determined when it shall become an independent diocese. As I sat here, it occurred to me that perhaps if we do not fix the time, it will become an independent diocese immediately upon our action, and there will be no trouble. Look at it, suppose it does, and somebody applies to be received as a candidate for Holy Orders? He goes to the Standing Committee of the Diocese of Pennsylvania for his testimonials, and he lives within the bounds of this diocese. The Standing Committee of the new Diocese of Pennsylvania will have to say, "We have nothing to do with it." "The man asks where shall I go." "Wait until your diocese is organized," But it exists now, but is not organized. I go to the Constitution and the Constitution provides that the Bishop of the Original Diocese shall call the first Convention of the new diocese, naming the time. Suppose he neglects to do it for a year; what a beautiful position that new diocese is left in! It is assumed, you will find in the Constitution, that that diocese may have a Standing Committee, for a certain duty is assigned in the Constitution to the Standing Committee of the former diocese in distinction from that. However it may be, it seems to me that here is a difficulty which it is just as well for us to guard against by simply putting in what it was proposed to put in, and what I believe has always been put into these resolutions, the date when that diocese shall become an independent diocese, an integral part of the Church in this country, and that is provided to be the first day of November. It seems to me that that should be put in, in order that the Standing Committee of the Diocese of Pennsylvania may know how far its powers go in respect to recommending candidates for Orders, and that the Bishop of Pennsylvania may know how far his powers go in accepting and admitting candidates for Orders; and probably in many other particulars. Let us not put this matter in such a shape that we shall be compelled to do it over again. If we refer it back to the Committee with instructions to strike out what refers to the Bishop's consent to the naming of the diocese, then they will put the rest into proper form. If we stop to put into proper form, cutting that out, we are performing the work of a Committee, and may not do it well.

The Rev. Dr. DALZELL, of Louisiana. Then I renew and press my motion for a recommitment of the report.

The Rev. Dr. MEAD, of Connecticut. I second that motion, with this addition, to recommit with instructions; not to recommit to make what report they choose, but with instructions, as the gentleman from Pennsylvania said, to strike out all that part of their report which referred to the consent of the Bishop, retaining the time when the new diocese shall be organized, and become a portion of this General Convention, which was the 1st of November.

The Rev. Dr. LEWIN, of Maryland. I respectfully submit, that this Convention has no right to fix any day, inasmuch as Canon 6, Title III, leaves that power to the Bishop. The Bishop is to call the Convention. The Bishop is to fix the time and

the place of meeting, and when the Primary Convention meets on the call of the Bishop, then it goes into existence just as soon as it organizes itself, and this Convention has not the power to pass this resolution, though I think there is precedent for it, giving the right of fixing the time, when that has already been given, by Canon, to the Bishop of the old diocese.

The Rev. Dr. HAIGHT, of New York. I will ask my friend how it is possible to elect lay delegates to a primary convention, unless you fix the time when the new diocese goes into existence long anterior to the time when the convention is called? Can you elect lay delegates of the Diocese of Pennsylvania to sit in the new diocese? We shall have to follow the old precedent. We had better not depart from it. Let us fix the time when the new diocese shall go into existence. If you fail to do that, I ask again, by what power can gentlemen who belong to the Diocese of Pennsylvania, up to a certain time, proceed to elect delegates to a convention of another diocese? It cannot be done.

The Rev. Mr. EGAR, of Pittsburgh. I do not intend to inflict a speech on the House. I simply desire to know the state of the question, so that we may know how to vote. In the first place, I presume we are to vote on the motion to recommit. If we vote that down, then the question will come on the amendment of the reverend deputy from Maryland, striking out everything beyond the resolution of the House of Bishops. If we vote that down, then the question will come upon the amendment of my colleague from Pittsburgh. I ask for the reading of the resolution as it will stand, if Mr. Spaulding's amendment be adopted.

Mr. SHEFFEY, of Virginia. I should like to hear the report of the Committee.

The Rev. Mr. EGAR, of Pittsburgh. The gentleman and myself desire the same thing. I propose that the report be read, as proposed to be amended by Mr. Spaulding.

The SECRETARY read the report of the Committee, with the amendment of the Rev. Mr. Spaulding.

The Rev. Mr. EGAR, of Pittsburgh. That will be the proposition before the House, if we vote down the motion to recommit, and the motion of the deputy from Maryland to strike out all except the resolution of the House of Bishops. Now I think we shall get at the point we desire, if we vote down the first two amendments that come before us, and then accept the amendment of the deputy from Pittsburgh.

Mr. CARTER, of Maryland. Mr. President, it will certainly not put forward our legislation if we do not, when we have a question before us, dispose of it. We have got nothing else to do this morning but dispose of this question.

The Rev. Dr. HAIGHT, of New York. I beg your pardon, sir; I have three reports here.

Mr. CARTER, of Maryland. Those can come in afterward. [Laughter.] I mean to say that if we can dispose of this subject intelligently now, after all the discussion we have had this morning, it will not put forward our deliberations if we recommit it and have all this discussion over again on another day. If we do that, the time spent in the discussion this morning will be so much time lost.

Now I wish to answer the question propounded by the Rev. Delegate from New York. [Dr. Haight.] He asked,—and it was a very pertinent question, and if the facts were as he supposed, it would be a strong

argument for the recommitment of this matter,—if this Convention does not prescribe the time when the new diocese comes into existence, when will it come into existence? I say that if this Convention had the power to prescribe the time, it would be unnecessary to exercise it, because the Constitution and Canons of the Church prescribe the time; and, in the second place, this Convention, if it assumes to prescribe the time, assumes a power that it does not possess under the Canons, and assumes it in the teeth of the Canons.

My first proposition is, that the new diocese comes into existence at the very moment of time that this resolution of the House of Bishops is concurred in by this House. If we concur to-day in the resolution of the House of Bishops, *ipso facto*, and at that moment of time, the new diocese is created. Article 5 of the Constitution provides that no new diocese shall be erected except by a certain formality, to wit, the consent of the Bishop and Convention of the diocese out of which it is formed, to be ratified by the General Convention of the Church. When those two things concur, the Constitution says a new diocese has been formed. The clause of Article 5 provides that "whenever the division of a diocese into two dioceses shall be ratified by the General Convention, each of the two dioceses" shall have such and such powers.

Now, let us refer to the Canons. Canon 6, Title 3, reads:

"Whenever any new diocese shall be formed within the limits of any other diocese, or by the junction of two or more dioceses, or parts of dioceses, and the same"—

That is, the formation "shall have been ratified by the General Convention"—

That is done the moment we concur in the resolution of the House of Bishops,—

"The Bishop of the diocese within the limits of which another is formed, or in case of the junction of two or more dioceses, or parts of dioceses, the Bishop of eldest consecration over the dioceses furnishing portions of such new diocese, shall thereupon"—

That is, immediately upon the ratification by the Convention of the action of the diocese itself—not the new diocese, but the old diocese:

"Call the Primary Convention of the new Diocese, for the purpose of enabling it to organize, and shall fix the time and place of holding the same, such place being within the territorial limits of the new diocese."

The reverend deputy from New York also asked how were the meetings which elect the delegates to the Diocesan Convention to be held. They will be held by the same authority, and in the same way, as the vestries of the different parishes in the old dioceses, from year to year, now act. They know that on a certain day their annual Diocesan Convention meets; they know that on or before the meeting of that annual Diocesan Convention they must elect their lay representatives to the Convention, the clerical representative being the rector of the parish. So in this case. When the Bishop of Pennsylvania, on the passage of this resolution, shall fix a certain day, say in November, for the assembling of the Diocesan Convention of the new diocese, every parish in that part of Pennsylvania to be formed into a new diocese, will elect their own lay delegates, the rectors of the parishes representing the clerical element, and

they will meet under the call of the Bishop, under Canon 6. But to put it beyond all peradventure, let me read the second section of Canon 6:

"In case there should be no Bishop who can call such Primary Convention pursuant to the foregoing provisions, then the duty of calling such Convention for the purpose of organizing, and the duty of fixing the time, and the place of its meeting, shall be vested in the Standing Committee of the eldest of the dioceses, by the junction of which, or parts of which, the new diocese may be formed. And such Standing Committee shall make such call immediately after the ratification of a division by the General Convention."

Now, if you fix the time for the coming into existence of this diocese at a certain day in November, you fly at once in the face of this Canon which provides in the first place that by virtue of the mere passage of the act of ratification by this Convention the new diocese is created; and to put it beyond all peradventure it says that the Standing Committee, apparently omitting in this connection, by inadvertence, a reference to the Bishop, shall immediately upon the ratification, that is to say before the Convention adjourns, if necessary, but at all events the moment the General Convention adjourns, issue a call for a primary convention. What does that prove? It proves, what it was almost unnecessary to prove, that the very fact of the ratification of the action of the diocese below by this General Convention brings into existence, *ipso facto*, and at that moment of time, that new diocese; and if it is not brought into existence at that moment, it never comes into existence, because it comes into existence by virtue of the ratification by the General Convention of the action of the Convention of the diocese below. The moment that is passed, therefore, the creative power has done its work, and the diocese stands before the Church as a diocese. If this be true, and if the sense of this House is that the name of this new diocese should not be left to any other tribunal but the tribunal of the new diocese, all the legislation that is necessary, is that which is embodied in the resolution as it came from the House of Bishops; and I respectfully submit, therefore, that the whole question will be disposed of, intelligently, rightly, and constitutionally disposed of, by the adoption of the substitute of my colleague, the Rev. Dr. Leeds, passing the resolution that came from the House of Bishops.

The Rev. Dr. LEWIN, of Maryland. The clerical Deputy from New York submitted a question which I was about to answer at the time when friends near me undertook the task very kindly, and I thank them, for they did it very well; but it seems to me that in a very few words he will see that the Constitution provides for the organization of the primary convention by the election of delegates from the various parishes that form the new diocese. He will see by the 5th Article of the Constitution that "in case any new diocese is so formed"—in the manner already stated—"the Constitution and Canons of the old diocese are binding upon the new diocese so far as applicable." Now, the Constitution and Canons of every diocese that I am aware of, provide for the election of delegates

to the Convention whenever a Convention is called, the time fixed and the place designated. Then each parish has the power, by the Constitution and Canons of the old diocese, to elect representatives, so far as the Constitution and Canons are applicable to the new state of things. I think, in this way, the matter can be provided for, and provided for under the provisions of the 5th Article of the Constitution.

The Rev. Dr. HAIGHT, of New York. The whole question turns upon the time of coming into existence of the new diocese. I understood my honored friend from Maryland to say, when he spoke, that the meeting of the primary convention was the commencement of the life of the new diocese.

The Rev. Dr. Lewin, of Maryland. Oh, no.

The Rev. Dr. HAIGHT, of New York. Then I take back what I have said. Do I understand the lay gentleman from Maryland to affirm that the new diocese in Pennsylvania comes into existence the moment that we pass a resolution ratifying the action of the House of Bishops?

Mr. CARTER, of Maryland. That is my proposition.

The Rev. Dr. HAIGHT, of New York. Then allow me to ask him one question. Can you have a Diocese without a name?

Several DEPUTIES. Yes.

The Rev. Dr. HAIGHT, of New York. I deny it. In the second place, if that be true and a new diocese comes into existence, the moment that resolution passes, what becomes of the two gentlemen on this floor representing the Diocese of Pennsylvania, who live in the new diocese? We are flying in the face of all previous action from the time of the division of the first Diocese of New York, down to the present time; and I predict if we do that, we shall get ourselves into a great deal of trouble. I submit that it is wiser and more prudent to follow precedent than to set aside precedent and establish a new order of things because certain gentlemen think that that is the logical way.

The Rev. Mr. HANCKEL, of Virginia. Let us take the original resolution as it came from the Committee.

Mr. CARTER, of Maryland. The reverend gentleman from New York asks me whether or not a diocese can be a diocese without a name. I reply that it can be, and I reply much more, that if it cannot be, the whole action of the Diocese of Pennsylvania in sending up to this Convention its proceedings, is null and void because the Constitution says that no diocese shall be formed without the preliminary action of the diocese out of which it is to be formed, in this case, Pennsylvania; Pennsylvania has sent up to us for our action, its proceedings in the language which I will read:

Resolved, That this Convention hereby consents to the formation of a new diocese to be composed of all that part of the present Diocese of Pennsylvania which lies outside of certain counties; and it then declares that with the consent of the Bishop, "the deputies from this diocese to the next General Convention present this resolution, duly authenticated, to that body, and request its consent to, and ratification of, the same."

Now, if a diocese cannot exist without a name, the whole action of the Diocese of Pennsylvania, in passing this resolution, is null and void, because

they do not give any name, and, therefore, if we are going to ratify anything, we are ratifying that which is null and void, if a diocese cannot be a diocese without a name.

The Rev. Dr. HAIGHT, of New York. That is a *non sequitur*.

The PRESIDENT. The question is on the motion of the deputy from Louisiana, to recommit, with instructions to strike out, "with the consent of the Bishop of the Diocese of Pennsylvania."

The Rev. Dr. DALZELL, of Louisiana. All the words that refer to the naming of the new diocese.

The Rev. Dr. MEAD, of Connecticut. All the words of the report of the Committee of this House, which refer to the consent of the Bishop of the diocese to the name of the new diocese.

The PRESIDENT. The question is on the recommitment, with that instruction.

The motion was not agreed to.

The PRESIDENT. The question recurs now on the amendment proposed by the deputy from Maryland, to strike out the resolution reported by the committee, after the word "Resolved," and insert the words of the message of the House of Bishops on this subject.

Mr. McCRADY, of South Carolina. I ask why that form, involving the sending of a message to the House of Bishops, when they have sent a message to us? What you want to do is to concur with the House of Bishops, and there is an end of it. Surely, the gentlemen can attain their object a great deal better by simply concurring with the resolution of the House of Bishops, and take the vote in that form. When we do it in that form there is an end of it; that is legislation.

The Rev. Dr. LEEDS, of Maryland. I agree to that change.

The PRESIDENT. If the House consents, the question will be put in that shape. The amendment is to strike out all the resolution of the committee after the word "Resolved," and insert: "That this House concurs in the message (No. 2) of the House of Bishops."

The Rev. Mr. BUEL, of Albany. I wish to call the attention of the House to this important fact, that if we adopt the motion now before us concurring in the action of the House of Bishops, we shall find ourselves, I think, to have concurred in defective action. The resolution of the House of Bishops prescribes no time when this—

The PRESIDENT. That matter has been discussed thoroughly I should think.

The Rev. Dr. MEAD, of Connecticut. The Constitution and Canons fix the time.

The Rev. Mr. BUEL, of Albany. I will make one remark. The resolution of the House of Bishops, fixes no time when this new diocese shall come into being. That defect has been well presented, well argued by the member of the Committee on Canons, who has spoken from the platform [Rev. Dr. Haight.] It goes in the face of all previous action of the General Convention on this subject. Look at the last journal, and you will see that in respect to the three dioceses created at the last Convention, the ratification of the General Convention prescribed the time when those dioceses should come into being. If we adopt the proposition in its present form, if we adopt this defective action of the House of Bishops, as has been well argued, from that moment we displace from his

seat a member of the delegation from the Diocese of Pennsylvania. No delegate can occupy his seat on this floor who does not come from the territory included within the diocese which he professes to represent. If we adopt this action without prescribing the time, we virtually admit the new doctrine that has been presented this morning, that the moment this ratification passes the new diocese comes into being, and you deprive the Diocese of Pennsylvania of its full representation. No, sir, do not let us inaugurate new action; let us follow the well settled old policy of the Church, and name the time when this new diocese shall come into being. In order to do that, we must non-concur in the defective action of the House of Bishops.

The PRESIDENT. The question is on the amendment proposed by the deputy from Maryland, which is to strike out all of the resolution reported by the Committee on Canons, after the word "Resolved," and to insert: "That this House concurs in message No. 2 of the House of Bishops."

The amendment was agreed to.

MISSIONARY JUBILEE.

Mr. WELSH, of Pennsylvania, submitted a preamble and resolutions of the Board of Missions, reciting that the fiftieth anniversary of the missionary organization of the Church should be celebrated by setting apart a day for appropriate religious services, and appointing a committee, consisting of the Rt. Rev. G. M. Randall, D.D., the Rev. A. T. Twing, D.D., the Rev. Wm. H. Hare, the Rev. B. I. Haight, D.D., Governor Baldwin, and Wm. Welsh, as a committee to invite the two Houses of the General Convention to unite with the Board in celebrating a Missionary Jubilee, they taking a recess for that purpose.

He proposed the following action by the House:

WHEREAS, The Board of Missions, at its session on the 5th inst., adopted the foregoing preamble and resolutions; and whereas, the committee appointed to carry them into effect has designated Thursday next, from 9:30 A.M. to 1 P.M., and the evening of the same day for the celebration of the Missionary Jubilee; therefore,

Resolved (the House of Bishops concurring), That this Convention accepts the invitation of the Board of Missions, and agrees that the session on Thursday, the 12th inst., be commenced at 1 o'clock P.M.

Resolved, That a committee of three clerical and three lay deputies be appointed to co-operate with the committee of the Board of Missions in carrying the foregoing resolution into effect.

The preamble and resolutions were agreed to, and the President appointed the following committee thereunder: The Rev. Dr. Leeds, of Maryland; the Rev. Dr. Babcock, of Central New York; the Rev. Dr. Waterman, of Rhode Island; Mr. Cornwall, of Kentucky; Mr. Shoenberger, of Pittsburgh, and Mr. Forsyth, of Albany.

JOINT PRAYERS.

The Rev. Dr. ABERCROMBIE, of New Jersey. There was a message from the House of Bishops this morning in reference to the two Houses joining in Divine service daily. In response to it, I offer the following resolution:

Resolved, That this House concurs in the proposition contained in the message from the House of Bishops, asking for a joint committee on the part of this House to confer respecting the time and place for meeting for Divine service before the daily sessions of the Houses, and that a committee of three on the part of this House be appointed to carry this resolution into effect.

The Rev. Dr. MEAD, of Connecticut. I have no objection to fixing the time to suit the Bishops; but I have a serious objection to changing the place. I have no idea that the mountain shall go to Mahomet. We are the largest body; we are very comfortably fixed, and have our services here already begun, and if it is proposed to take us away from this place for Morning Prayers, I am opposed to it. We have Committees who have to be here in session; we want the opportunity to attend Morning Prayers; and we cannot do so and prepare business for you unless we have Morning Prayers here. All your Committees who have thus to meet in the morning, are prohibited from going even to "the little Church around the corner" (laughter), wherever it may be, for prayer. I have no objection to changing the time to suit the Bishops, but I do object to changing the place.

Mr. WELSH, of Pennsylvania. Is it proposed that the Committee shall have that power?

The Rev. Dr. MEAD, of Connecticut. Certainly.

The PRESIDENT. I do not so understand.

The Rev. Dr. HAIGHT, of New York. This is not a committee with power, but their report comes back to this House, and we then agree or disagree.

The PRESIDENT. It is a mere matter of courtesy to appoint a committee to confer with the House of Bishops.

The Rev. Dr. MEAD, of Connecticut. If that is all, I have no objection.

The resolution was agreed to, and the President appointed the Rev. Dr. Abercrombie, of New Jersey, the Rev. Dr. Beach, of New York, and Mr. Forsyth, of Albany.

MUSICAL SERVICES.

The Rev. Dr. JACKSON, of Connecticut, submitted the following resolution, which was agreed to:

Resolved, That a committee of three be appointed to take charge of the musical portion of Divine service in this House at and during the sessions of the General Convention."

The President appointed as the committee under this resolution, the Rev. Dr. Jackson, of Connecticut, the Rev. Dr. Pise, of Indiana, and the Rev. Dr. Spalding, of Wisconsin.

TESTIMONIALS OF ASSISTANT BISHOP ELECT.

The Rev. Dr. HAIGHT, of New York. I move that the House do now proceed to sign, after they have been read, the testimonials of the Assistant Bishop elect of South Carolina.

The motion was agreed to.

The SECRETARY read the testimonials to be signed, as follows:

"We, whose names are under-written, fully sensible how important it is that the sacred office of a

Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion without partiality or affection, do, in the presence of Almighty God, testify that the Reverend Wm. Bell White Howe, D.D., is not, so far as we are informed, justly liable to evil report, either for error in religion or for viciousness of life, and that we do not know or believe there is any impediment on account of which he ought not to be consecrated to that holy office; but that he hath, as we believe, led his life for three years past piously, soberly, and honestly.

IN GENERAL CONVENTION,

HOUSE OF CLERICAL AND LAY DEPUTIES,

Third day of the Session,

October, 6th, A. D., 1871.

The deputies thereupon proceeded to sign the testimonials, each diocese being called in alphabetical order.

The signing having been concluded, the House adjourned.

FOURTH DAY.

SATURDAY, October 7, 1871.

Morning Prayer was said by the Rev. Theodore B. Lyman, D.D., of California, assisted by the Rev. J. M. Banister, D.D., of Alabama; and the service was concluded by the Rt. Rev. Alfred Lee, D.D., Bishop of Delaware.

The Journal of yesterday's proceedings was read and approved.

OBITUARY NOTICES.

The PRESIDENT. It is desirable to take the present opportunity of attending to a matter which was postponed, yesterday by reason of the confusion then—a matter of very solemn consequence; and before proceeding to the regular order of business, the consent of the House is asked to introduce resolutions in reference to those eminent persons who have departed from the Church on earth since the last session of this body. If no objection is made, if it is a matter of general consent, such resolutions will be now received.

DEATH OF THE HON. J. N. CONYNGHAM.

Mr. FRANKLIN, of Pennsylvania. Mr. President, I offer the following resolution:

Resolved, That this House place upon its records the expression of its grateful sense of the high Christian character, and of the eminent and long continued services to the Church, of the Hon. John N. Conyngham, of Pennsylvania, deceased since the last General Convention, and for many years a member of this body.

Mr. President, in offering this resolution, it is not my purpose to enter into any extended remarks upon the life and services to the Church of the eminent gentleman who has deceased, and is the object of the resolution. That will be done much better than I could do it by gentlemen in this house, who have long known the deceased in his capacity as a member of this House and have known him on its committees up to this hour; and as I have only, for the first time, become a member of this body as his successor, it will be certainly more proper that those gentlemen who have long known him, and known his services to the Church, should undertake to illustrate them.

Judge Conyngham became a member of the General Convention, as I am informed, in the year 1850, and

has been a member of all the conventions since that time, with one single exception; and the greater portion of that time he was a member of one of the most important Committees of this House, the Committee on Canons, and executed his duties as such faithfully and laboriously.

Although advanced in years, Judge Conyngham retained his physical health, and was at last the victim of an unfortunate railroad accident, which occurred to him while performing a mission of love and beneficence in Louisiana; and he died, far from his home, among strangers; but it is happy to know that he received all the kindness and attention, which the circumstances would permit, in his last moments.

In all the relations of life Judge Conyngham was a bright example of the benignant influences of Christianity upon the life and character. He was, in the highest sense of the term, a Christian gentleman.

Mr. President, I will give way to others. I understand there is a gentleman in this body as a delegate who was present, at the time of the death of Judge Conyngham, and I think it would be proper that he should make a statement in reference to those circumstances.

Mr. MOSS, of Ohio. Mr. President, it was my painful fortune, as it was the painful fortune of another deputy, now upon this floor, from the Diocese of Central New York, to be not only upon the train, but upon the particular car which rolled over the body of Judge Conyngham and caused his death. If the House will indulge me for a moment to state something of the circumstances, I will proceed to relate them briefly.

Upon the 23d day of February last, my friend and myself were proceeding toward the city of New Orleans. We had arrived, as evening was closing in upon us, at the village of Magnolia, in Mississippi. Our train, by an accident which had happened, however, had fallen back of its time twelve hours. The train following it, which should have been twelve hours behind us, had by this means overtaken the train in which we were travelling. This village of Magnolia furnished an eating station for passengers upon the trains. There was a large crowd there, not only from persons proceeding to the station, but from persons on the various trains going to the refreshment place.

As we were going over from the eating house, there seemed to be much confusion in the passengers finding their proper places. I was so fortunate as to find my seat. The car started, and in a moment we felt a jerking sensation. The conductor ran through the train and said "a man is hurt, and we fear killed," and in another instant the car moved on. It was not until the train had arrived at the next station that a telegram overtook us stating that the person injured at Magnolia was Judge Conyngham, of Pennsylvania, and that he could not survive his injuries. I felt that I should return to the assistance of my friend; but it was impossible to return. I went on my way. The morning papers announced that Judge Conyngham was so severely wounded that he could not survive, but that he was in the hands of his friends.

Thus has passed from life Judge Conyngham; a man who, in life, was an able lawyer, an eminent jurist; a safe, sound, and wise adviser in the councils of the Church; a devoted husband, an affectionate father, a man who made home, *home*; who made the sacredness of the domestic altar the very key-stone of

the arch which is to sustain and perpetuate the political and religious institutions of our country.

Does it not occur to us that the Church can ill afford to spare such men?

It is not long since the Diocese of Maryland was called to mourn her honored and beloved Hugh Davy Evans. How, and by whom, and from whence shall the places of such men be filled?

I believe there is a God in Heaven. I pray that that God will ever, whether in the hour of peace, or in the day of trouble and sorrow, raise up and consecrate to the Church another, another, and another Evans; another, another, and another Conyngham.

The Rev. Dr. MEAD, of Connecticut. Mr. President, as one who has long known the deceased, one who feels deeply and felt deeply when he first read the sad account of the providential dispensation resulting in his death, I desire to say a few words.

We have within a few years seen pass away from us a Chambers, and an Evans of, Maryland, and now a Conyngham, of Pennsylvania; a man for whom I have ever felt the warmest affection and respect; a man who, whatever might be his differences of opinion with any man on any question, never forgot the Christian gentleman, never ceased to exhibit a perfect example of one of nature's noblemen.

It is difficult for me at my advanced age to repress my feelings at the loss of so many who were in this House engaged with me some forty years or more since in the legislation of the Church, especially when they have been connected with me, as the late Judge Conyngham has been, in the Committee on Canons. He was a wise counsellor, conservative in all his principles and actions, and, I repeat it, however he might differ with others, he was always open to argument, and to lay aside his differences of opinion, if convinced in his judgment that they were wrong.

I loved Judge Conyngham. I felt deeply his loss when, in the General Convention of 1865, I could no longer see his pleasant, intelligent face seated at the table of the Committee on Canons. I was glad at his restoration in 1868, a restoration which, with its grasping the whole Church of the United States, fired the heart of every lover of the Church, and every lover of his country in the Church. There we sat side by side, brethren, and not one a more eminent and lovely peacemaker than Judge Conyngham.

But he is gone. It is an alleviation to all our sorrows and pains to reflect that after such a life, sudden death did not come upon him unprepared. I doubt not that his blessed spirit is this day in the paradise of God; and I feel (if I would dare to feel it) envious at his happiness, that he is removed from this world of trouble and turmoil, removed from apparent contentions and anticipated (by others, not by myself) divisions in the Church, and awaiting in glorious hope his rising at last, body and spirit, and joining the Church triumphant in heaven.

Mr. President, I look around me and I see many new faces here. There is not one scarcely in this House who was in it in 1829, when I was one of the Secretaries of the House, or in all the consecutive General Conventions from that time, in each of which I have been an humble, I trust an industrious, God knows how useful a member. Oh, when I look around and see that I am now surrounded by the faces of younger men, when I feel that I am, as it were, left almost alone, I cannot express the deep feeling of my heart!

The Rev. Dr. HOWE, of Pennsylvania. Mr. President, I feel reluctant to add a word after the

touching tribute which has been paid to our honored friend by the revered brother who has just taken his seat. But, sir, in a certain sense and in a more limited sphere, I am a kind of patriarch that is left alone. I entered this General Convention, honored, with a seat by the great Diocese of Pennsylvania, simultaneously with the late Judge Conyngham, in 1850. I have sat with him in the Diocesan Convention for 25 consecutive sessions. I have known him, not only in the Committee on Canons pertaining to this General Convention, but in our own local Diocesan Committees, most intimately, and I have besides that the great comfort and the signal honor of being allowed to call him my personal friend in all those years.

Sir, we of this delegation not only miss his magnificent form sitting by our sides, but we miss his wise counsels. We felt that he was a tower of strength. We went to him with assurance that the utterance of his heart would be also the utterance of his judgment, and that, (as my venerated friend has said,) however his affinities might draw him in one particular direction, we could always rely upon his courtesy, his charity, his considerations for others, his conservative principles, so that when he expressed himself we felt almost drawn by necessity to concur with him.

Sir, I will not longer detain this House, but will barely lay this tribute of my affection and respect upon his new-made grave, and say that not only we who sit here as the representatives of Pennsylvania, but all whom we represent felt a sorrow, not a common sorrow, when we heard that we were to see him no more.

May his memory and his example abide with us!

Mr. BATTLE, of North Carolina. Mr. President: I rise solely for the purpose of raising a voice from the South to join with those who have already spoken of the virtues, the sound judgment, the eminence in every respect of the gentleman in honor of whose memory these announcements are being made. It was my fortune to become acquainted with Judge Conyngham in 1856, and I believe the very first time my voice was ever heard in a Convention was in a debate in opposition to him. But, sir, I then began to learn to respect him; and in every other Convention in which I had the honor to sit with him, I was more and more convinced of the excellence and the soundness of his judgment, of his patience in hearing debate, of the soundness with which he judged upon all questions that came before him, of his perfect candor, of his extensive character, and of his virtues in every respect; and I may say (what has already been said by one of the members who has addressed you) that nothing can be added to that which he most eminently deserves, the character of a Christian gentleman—a Christian gentleman in every sense of the word.

The resolution was agreed to unanimously by a rising vote.

THE REV. C. P. GADSDEN.

The Rev. Dr. PINCKNEY, of South Carolina. Mr. President, I beg leave to offer the following resolution:

Resolved, That this House records upon its Journal the sense of our loss in the death of the Rev. Christopher P. Gadsden, of the Diocese of South Carolina, whose high character and fervent spirit had endeared him to many hearts and promised even longer usefulness in the Church of God.

He was one of the delegates to this Convention

sir, as well as a member of the last, and, with the permission of the House, at the suggestion of a friend, I beg leave to insert the words "deputy elect to this Convention."

The PRESIDENT. That amendment will be made.

The Rev. Dr. PINCKNEY, of South Carolina. Mr. President, I beg leave to add one word, while I offer to the House for its consideration this resolution.

My friend and brother had served one session with this General Convention; and I have been deeply gratified to find that his character and his love for Christ and the Church have been appreciated by many. We who have known him better in life can estimate more truly his value, and we lament more his loss. He was a man of elevated Christian character, a man of integrity, a man of truth. I have seldom on earth met one more endowed with those noble characteristics, open, honest, outspoken, without concealment, an honest and upright man, whom every one felt that you could trust and honor, and reverence, and love. His missionary zeal has been invaluable to us in our diocese, and in the depressed condition of our Church, we sadly miss his wisdom, his energy, his earnestness, the fertility of his resources, which had proved invaluable to us in our diocesan difficulties and conferences. And, sir, that missionary zeal had impressed itself upon his character and upon his heart, and it secured for him the love and reverence of our whole people. I doubt whether any man has died in South Carolina more loved and more revered, and whose death has touched a greater number of hearts in many, many years past. I have certainly never seen such crowds collected at any man's funeral since the burial of John C. Calhoun. And, just before his death, prayer was offered for him by Christians of every name in that city, Protestant and Roman Catholic—all combined around his grave in one common testimony of affection, esteem, and regard.

Let me add one circumstance which shows how he had impressed himself upon the colored population of the South. He was an ardent advocate of preaching the Gospel to the colored race, and from his earliest ministry, he had been zealously devoted to this purpose and object. A few days before his death, I met one of the colored leaders of the churches of Charleston, and he inquired after the health of our friend. I reported the physician's opinion of his case, and I felt deeply this man's answer: "Sir," said he, "God will spare, I trust, that minister of Christ. Last night our circles of prayer met, and we all agreed to pray for his valued life; and there were two thousand colored men last night in this city engaged in prayer for the restoration of his health and the prolongation of his life." I felt that his zeal, his diligence, his earnestness had been appreciated by those to whom so much of his ministry had been devoted.

Mr. President, I think I can condense in a single sentence, what struck me as his great characteristic. He was a faithful soldier and servant of Christ Jesus, and I have never met any Christian minister in this country or in England who seemed to me to embody more of the spirit of the baptismal vow. In his daily life and conduct and conversation, in the pulpit and out of it, in convention, diocesan or general, anywhere and everywhere, he maintained that spirit of fidelity to Christ. The love of Christ constrained him. He was eminently a faithful soldier and servant of Christ Jesus unto his life's end; and that end, as we would say, came prematurely. He was not 46

years of age ; and yet he had been 25 years in the Christian ministry, and had deeply stamped his earnest, energetic spirit upon the Church which he loved and for which he labored.

Our friends from Pennsylvania have asked our expression of sympathy in the death of that venerable man, whom I remember well as one of the bulwarks and ornaments of this Convention. I fully sympathize with them in a sense of their loss, for that venerable gentleman had struck me as so remarkable for his Christian courtesy and his manliness and honesty of character. But, sir, he was in ripe old age. He had run his course. He was ready to be gathered to his fathers. But this, our friend and brother, whose loss we now deplore was in the very meridian of his days and the fulness of his usefulness. He seems to us to have been prematurely called away ; but he had served God faithfully in his day, and then he had lived already a long and useful life, and his death was like his life, full of love to his Master. I can condense the spirit in which he died in a verse or two, which he made familiar to many hearts in our community and which have already struck many a chord. It was a verse which he wrote in his Bible many years since, which has been celebrated by Dr. Valpy, and it breathes so beautifully the spirit of Christ, which was the spirit of his whole life and ministry, that I venture, even perhaps contrary to precedent, to repeat it here to you :

In peace let me resign my breath,
And Thy salvation see ;
My sins deserve eternal death,
But Jesus died for me !

That was the spirit of his life. Those two verses were the spirit of his ministry, and I am sure my ministerial brethren will coincide with me when I say that they embody the sum and substance, the life and the marrow of the Gospel message with which we are entrusted.

I move, sir, the adoption of this resolution which I have presented.

The Rev. Dr. HAIGHT, of New York. I had not the good fortune to know our revered friend until the time of the last General Convention. At that time we were brought into contact more especially by our common interest in the Missionary Work of this Church among the Africans at the South. He came to me just before the last Convention to beg me to use my utmost influence, not to relax my own interest and my own efforts in that work, but to endeavor, if possible, to induce the Board of Missions to continue, and if practicable, to make that work more efficient. He came to speak to me about the school in Charleston, which had been the object of very deep interest to that commission, and for which we had incurred very heavy responsibilities. I never can forget the simplicity and the earnestness, and the wisdom of his words, and it was at my suggestion that he embodied what he had said to me, in a letter which was addressed to our commission, and was placed in the report of that year of the commission of Home Missions for Colored People, which was read by many with deepest interest, and no doubt contributed to the deepening of the feeling of the Board of Missions, that notwithstanding the difficulties with which that mission had been environed, notwithstanding the apathy and the prejudice of the Church, North and South that mission could not be relinquished with honor or with safety.

I was very much struck during the last General Convention with his course on this floor. There was something so manly, so noble, so entirely in accordance with the spirit of the wisest and the best men which this Church has ever seen, that I felt there was a man of power, intellectually and spiritually, that there was a man whose labors, and whose prayers would never be wanting for the best interests of this Church.

No doubt, sir, we differed ecclesiastically and theologically, and perhaps, in some respects widely, but he was one of those large hearted, and large minded men with whom I had no difficulty whatever in holding the sweetest converse, to whom I could unburden my own mind, feeling that I was talking to a friend, to a brother in Christ Jesus, one who I knew would never make a wrong use of what I said, in whose honor I could confide ; and if this spirit could only prevail universally in this Church of trust and confidence one in the other, if we could get rid of the miserable jealousies and suspicions which abound, the position of this Church would at once rise gloriously in the sight of the world, and in the sight of our adorable Lord and Saviour.

I pray God that the spirit of that man may be the spirit of us all, in our several degrees. But few of us can hope to attain, miserable sinners as we are, to the height of spirituality to which he attained ; but few of us can hope to leave the record which he has left of perfect sincerity, of undoubting faith, of holy obedience ; and God give us grace in our measures, in our lot to follow him, though at a great distance, even as he followed Christ and the Holy Apostles.

Mr. McCRADY, of South Carolina. Mr. President, it would not be well that the voice of the laity should not be heard from the Diocese of South Carolina, and I shall say but a few words. What I shall say will not be in the form of eulogy ; but I will leave what I know he has done to speak for itself. I will not tell about his ministry ; I will not tell about his faith, his integrity, his courage ; but I will say this, when, after the war, we were many of us destitute, his church found itself in debt and a decree against it for sale to pay the debt. A long friendship had existed between the reverend gentleman and myself, although he was much my junior ; and he came to me and stated what he was worth, showed me all that he had, and said all must go to save that church ; and he put it at my disposal at a time when what he had was not worth half as much as it was in former times. I took it and told him I would do the best I could, but he must leave it to me. He did leave it to me, and I did my best. I trust that something may be saved to him. I trust that efforts are now making, poor as we are in the city of Charleston, to save him from loss on account of that church. But he was willing to give everything, so much as he possessed of worldly goods.

He was a man devoted to his opinions. I had a test of this, on one occasion, when he was assistant minister to St. Philip's Church, on a visit to him we were talking about the Prayer Book to which he was devotedly attached and which he revered ; and it was because of his reverence and attachment to it that he listened to what I had to say. I pointed out to him one word which I told him I could never use in the Prayer Book. He promptly said that he would not change a word, and said it in a decided manner and with much temper, as I thought at the time, so that I said not another word. A year afterward, on

board of a steamboat, Mr. Gasden said to me "Mr. McCrady, I have never been able to use that word since you spoke to me, as I did before; can we not change it? why don't you make some effort to change it?" I said, that as I thought, there were no opportunities."

In 1862, when the Church sat in council for the Southern States, there was a great desire to revise the Prayer Book, and it finally was committed to three Bishops chosen by the House of Bishops, three Presbyters chosen by the House of Delegates, and three laymen, and I was one of the latter. That commission had but one meeting. At that meeting, to my surprise, the first letter that I remember to have opened, was a letter from Gadsden, directed to the Bishop who was presiding, Bishop Elliott, calling his attention to the very word and asking that that might be changed, and referring to myself as having suggested it to him.

Now, Mr. President and gentlemen, this is difficult to conceive by those who knew Mr. Gadsden well, who knew that he would part with every dollar he had sooner than he would part with his opinions; and yet that gentleman had the courage and the generosity, through pure conviction, to be willing to do that. Let me say, however, that I believe when he came here, and sat in 1868, nothing would have induced him to change a word in that Prayer Book. I think he then thought—and it was from the result of conversation with him that I say so—that there was too much effort then making to make corrections in the Prayer Book, and that it must lead to trouble. He had, therefore, made up his mind to take it just as it was, and on no account to make an alteration. I say this in justice to him who cannot speak for himself, who I know could have said that here, if what I have related had been related before him.

Mr. President, I have not a word of eulogy to pronounce; I am but a poor eulogist; but if what I have related does not speak for him, no language would give utterance to that which ought to be said.

The resolution was agreed to unanimously by a rising vote.

DEATH OF HERMAN COPE, ESQ.

The Rev. Dr. GOODWIN, of Pennsylvania. Mr. President, I rise to offer the following resolution:

Resolved, That this House place reverently upon its records its expression of its sense of loss in the lamented death since our last assemblage, of Herman Cope, Esq., of the Diocese of Pennsylvania, at the time of his decease the Treasurer of the General Convention, and for many years a member of this House.

Mr. President, it is no time, and I have no disposition now to enter into any protracted eulogy. I have desired to present this resolution to the Convention, not only because it is due to the Convention under the circumstances that such a resolution should be passed, but also because of the intimate personal friendship between the deceased and myself.

I need not recall to those who had a personal acquaintance with Mr. Cope, his remarkable characteristics. I have never seen in my experience of men, a man more truly Christlike, meek, modest, gentle. He received the honor (if it be honor), of his diocese in sending him from time to time as their deputy to this Convention. He received it not as honor. He acted in that capacity as a servant of his Lord and a servant of the Church, and I believe he never felt the elevation of honor or any sentiment of that sort in connection with it. And when he was left off from

the delegation of that diocese to this House, he still continued humbly, meekly ready to serve this Convention in any capacity which they might designate, and continued as their Treasurer to the time of his death.

Mr. President, I believe that among all the virtues that especially characterize Christianity and that we need especially to study, is the virtue of Christian humility, an humble readiness to serve our Lord and Master wheresoever He shall see fit to place us.

Mr. Cope was not only a faithful Christian, an earnest, devoted man, of the largest sympathies for all those who love our Lord Jesus Christ in sincerity and truth, of the widest Christian charity, but he was in the most remarkable degree, a true, faithful, devoted lover of the Church. You would hardly find a man whose whole daily life was so completely bound up in the thoughts of the Church, in the interests of the Church, in the work of the Church, as were those of our deceased brother; and I know of nothing that can more distinctly set forth his character or more fully express what I believe were the uppermost and most familiar sentiments of his heart than that beautiful 25th Hymn of ours:

"I love Thy kingdom, Lord,
The house of Thine abode,
The Church our blest Redeemer saved
With His own precious blood.

I love Thy Church, O God;
Her walls before Thee stand,
Dear as the apple of Thine eye,
And graven on Thy hand.

If e'er to bless Thy sons,
My voice or hands deny,
These hands let useful skill forsake,
This voice in silence die.

If e'er my heart forget
Her welfare, or her woe,
Let every joy this heart forsake,
And every grief o'erflow.

For her my tears shall fall;
For her my prayers ascend;
To her my cares and toils be given,
Till toils and cares shall end.

Beyond my highest joy
I prize her heavenly ways,
Her sweet communion, solemn vows,
Her hymns of love and praise."

Excuse me, Mr. President, for detaining the Convention with reading so many of these verses, but every line of every verse is so accurately fitted to express the precise sentiment and feeling and character of our deceased brother, that I could not stop till I had read the whole.

Mr. WELSH, of Pennsylvania. In rising to second the resolution just offered, I do it with deep feeling, for it was my privilege to have had the closest personal intimacy with Mr. Cope for more than forty years. Therefore every word uttered by the reverend gentleman who preceded me told upon my heart. I know it to be true and feel it to be true.

There is one other thing that might be said, and I think said with profit to us all, that we now begin to know, "an honest man is the noblest work of God."

Mr. Cope occupied posts of high trust, never in one instant flinching from the highest integrity, never faltering. You never heard in his case of trust funds being applied to any other purpose than that for which they were entrusted.

Now, is it that we take the time of our Convention merely to have our own hearts saddened by such recitals? Are we to have our hands weakened in legislation, by seeing that the mighty around about us have fallen? Or are we not to draw spiritual comfort from it all? Shall we not, each one, resolve to follow that layman in his humble walk before God, in his entire willingness to glorify God in any position, however humble, to which he seemed to be called? Shall we not resolve in all our undertakings for the Church, and wherever we may be, to manifest that strict integrity that can alone ennoble us as a Church? Shall we not, in our legislation, strive by God's help to imitate that other layman in Christian courtesy that never wavered, never a harsh word, never in a single instance defining the motives of others save only as they were expressed. Oh, could we in all religious bodies have just that legislation, then would we stand before God and the world as the Bride of Christ!

But, sir, I ask that we should bear in mind what was said by the reverend gentleman from South Carolina. We are told that we are to have the poor always with us. Who could help feeling, and feeling deeply, when they heard that more than two thousand people were engaged in earnest prayer that God would lengthen that life and spare that man. Shall we not as a Church rise up to that? Shall we not as a Convention resolve that what we can do to have the Gospel preached to the poor, shall be done by offering ourselves to that work?

There was one other thought in that case that told upon us all, for we were informed that Roman Catholics as well as Protestants joined in prayer for the living and mourning for the dead. Is it true that we can so manifest Christ to our fellows as to win the esteem of all? I believe it; we all believe it; and let us pray God that we may all practice it.

The resolution was unanimously adopted.

DEATH OF BISHOP KEMPER.

The Rev. Dr. ADAMS, of Wisconsin. Mr. President, the Church, within the last year, has lost its first Missionary Bishop, who was, for many years, a member of this House, though there are but few at present who were his contemporaries. I, therefore, move this resolution in memory of the Bishop:

Resolved, That this House gives most humble and hearty thanks to Almighty God for the life and works in behalf of our beloved Church, and for the holy and peaceful death of Jackson Kemper, for many years a member of this House, and also the first Missionary Bishop of the Church in the United States.

I have but two remarks to make upon this resolution. The first remark shall be a quotation from Scripture. "The dead are with the Lord; they are at peace, and their works follow them."

The second remark that I will make is this. There was a celebrated man in days of old upon whose tomb was inscribed, "If thou desirest to see his monument, look around thee." So it is with the Church in the West, and especially with us in the State of Wisconsin. If we seek a record of Bishop Kemper, all we have to do is to look around us upon the Church and her institutions there, for to him, under Almighty God, by the grace of the Holy Spirit, is due any progress that has been made during the

last thirty-five years by the Church in the upper part of the Mississippi Valley.

I will say no more than this, that I, myself, had the honor, thirty years ago, of coming under his jurisdiction and working under him, and I can testify to this House, and to the whole Church, that the present prosperity of the Church, in the upper part of that great Valley, is due to the incessant work, to the holy life, to the precious and blessed influence of Bishop Kemper.

The Rev. Dr. MEAD, of Connecticut. Mr. President, Jackson Kemper was my bosom friend. We worked together in the Diocese of Pennsylvania. He was frequently a Deputy from that diocese in this House of Deputies. I believe the last time he took his seat was in 1829, after which he left the diocese to occupy the parish which I have occupied since 1836, in which parish his memory is now cherished by all those who are old enough to know him, and there is but one feeling and one expression—"Jackson Kemper was a godly man." When we elected him as the first Missionary Bishop in 1835, the late Dr. Croswell (another friend gone before me) and myself were commissioned to wait upon Dr. Kemper, inform him of his election, and ask him to accept it. By the Providence of God, after his consecration some few months, desirous of a rural life, I became his successor, and have been so ever since. But to undertake to pronounce an eulogium in connection with the name of Jackson Kemper before intelligent members of the Church of Christ in the United States or in the civilized world, I dare not have the vanity to think I could do it. Sir, it would be like gilding refined gold.

The Rev. Dr. McNAMARA, of Nebraska. Mr. President, I had the privilege to be a Missionary under Bishop Kemper for nearly a quarter of a century. The Church knows him as the great Bishop and Missionary. Only those who have served with him in the field personally know what a Bishop he was. He was in all noble senses a great father in God, thoroughly loyal to the Church of his love, never deviating in a single article from the prescript rules of that Church, kind and gracious to the wayward and the froward, encouraging all the labors of the sacred ministry in that field. He was a savior. Those who disagreed with him he endeavored to save by his kindness, by his forbearance, and by his rule of love. His kindly bearing, his loving fatherly correction to those who disagreed with him, has made his diocese one of the most loyal and Churchlike within our entire border.

He was the model Bishop, and let those who aspire to the mitre bear in mind that Bishop Kemper made those who differed from him to love him, and to be loyal to the Church which he gave himself up to for so long a life.

The Rev. Dr. BEERS, of Wisconsin. Mr. President, I suppose that it rarely happens that a life like that of Bishop Kemper had so appropriate a close as his had; that it rarely happens that the natural tears which are shed by the death-bed and at the grave of a great and good man, were charged with so little bitterness as those that were shed at his. I have no doubt that in the hearts of the thousands who gathered around the place where his remains sleep by Nashotah Lake at the time of his funeral, there was as much of satisfaction as of sorrow in the scene; for a long life, full of years, full of honors, and full of labors, had come to its close, so that he who had lived that life on earth we all knew rested from his

labors, and that his works would follow him. Of course, it is utterly out of the question to more than to allude to him or to his works, because the history of Bishop Kemper for more than a quarter of a century is the history of the Church in the Northwest. Upon every portion, and upon every feature, and upon every stage of its advance, he impressed his character, and left traces of his spirituality, his kindness, and his influence.

The Rev. Mr. GASMANN, of Nebraska. Mr. President and Members of this House, I cannot permit myself to remain silent when the memory of the Rt. Rev. Jackson Kemper receives honorable mention. It is the last time that official mention will be made of that noble name by this House, and I feel an especial cause to rise before this House, and bear my humble testimony to that revered name. The name of Jackson Kemper will remain remembered in this Church and in this land, as long as this Church shall remain the witness of the truth, and of the living God.

I say I feel, sir, an especial cause to rise before this House and add my humble words of thanks to God for having given to this Church such a man, such a priest, and such a Bishop; and the reason for feeling this especial cause is that twice by the blessing of Almighty God have I felt his sacred hand upon my head in blessing, which I believe fell from heaven through him; first as a child, soon after I had come upon these shores from the far North, I came to his feet and received from him the Apostolic rite of confirmation. Though I had been baptized far away among the mountains of the North, yet as his own child he received me and laid his hands upon me in blessing. Then again, when in God's good providence I had been called to the sacred ministry of this Church and had, as it were, grown up for years at his feet, again he laid his hands upon me and blessed me as a deacon of this Church. After having proved my ministry, although unworthily, yet again he blessed me to the office of the priesthood. And do you wonder, my brethren, that I should feel compelled under such circumstances to bear testimony to his blessed memory? If I should remain silent, it would seem that I might forget my father and my mother; if I should not lift my voice at such a time I should deserve to be dumb forever after. It is, Mr. President, not my province to speak any other words, to bear any other testimony, but simply to say that I thank God that I had the honor of twice receiving his blessing and benediction.

The Rev. Dr. SPALDING, of Wisconsin. Mr. President, I am well aware of the truth of the proposition that it is impossible to eulogize the memory of the Rt. Rev. Jackson Kemper. The relations in which I have stood to him, however, make it necessary for me to say one word on this occasion. I recognize the eminent fitness of resolving to return thanks to Almighty God for the good example, the life, and the works of this His eminent servant; and I wish particularly to remember on this occasion, his kindness and sympathy with the missionaries of his diocese. Bishop Kemper was eminently a liberal man in dispensing his means for the Church, and especially in helping the missionaries; and I feel that the missionaries of our diocese would wish that remembrance presented on this occasion. Many a one has received from him that pecuniary assistance and benefit that have sustained them in the dark hour of their labor and their trial. Half of the income of this good man and Apostle was spent in that way in his service in the West.

And I must also notice the beautiful simplicity of his character. It was my good fortune to travel with him on many occasions in missionary work; and that beautiful simplicity, that touching Apostolic character of his, did more than sermons could possibly do, to vindicate the claims of the Apostolic character of the Church of God, and it was indeed with thankfulness, with joy, with holy gratitude that we saw him gathered as a shock of corn, fully ripe to his rest after a long life well spent. Never did the beautiful solemn funeral service of our Church sound so appropriately in my ears as it did when that venerable saint was committed to the dust. "Blessed are the dead who die in the Lord, even so saith the Spirit; for they rest from their labors." Labors abundant, labors large, labors comprehensive and flowing forth in every direction, were those from which Bishop Kemper rested when he laid him down to sleep with his fathers, and there at last may it be our lot to rest with him and meet him on the morning of the glorious resurrection. "Let me die the death of the righteous and let my last end be like his."

The Rev. Dr. HAIGHT, of New York. Mr. President, a word before the vote is taken on this resolution. The remarks of the last speaker recall to my memory one fact which my honored friend said to me a short time before his death. It was my privilege to see him in Milwaukie at the time of our delegate missionary meeting there. He came down expressly to attend that meeting; and, although then very aged and feeble, to our utter astonishment he attended every service and presided at the two meetings each day throughout the entire session of that missionary meeting, lasting three days, exhibiting the utmost interest in all that was said. I remember perfectly well at the close of the last evening, it was my duty to deliver a few parting words on behalf of the delegation. I turned occasionally—I could not help it—to him. I did not expect to find him very attentive at a late hour in the evening, he an old man; but I remember perfectly well how my soul was thrilled as I turned (having made one pretty strong statement) to him to find his eye as bright as ever, and to receive his approving nod.

During the three days that I was there, I was desirous to see as much of him as I could; for my friendship with him, though not so long as that of some others, dated back more than thirty years, when he came to my house in Cincinnati (I being then a young presbyter of the Diocese of Ohio), on his way to his missionary field; and when he told me, "I go to Indiana where there is but one church—to Missouri, where there are but two"—and in all the rest of the jurisdiction confided to him, scarcely one. Being so desirous, I drove to his house each day to take him to the different places of worship and of assembly, and in the course of our conversation, he said to me one day, "Doctor, I must tell you one thing,"—I do not often speak of it, but I know you will be glad to hear it—and that is what I rise to relate. He said, "Do you know that it never costs me one single cent to travel in Wisconsin? I never pay a single hotel bill; I never pay my fare on any stage coach or railroad car or steamboat." I was struck, because I knew the sensitiveness of that man. I knew there was not a man on this earth to whom any one would not dare offer a charity sooner than to him. He would draw himself up—we all who knew him remember it perfectly well—if there was the slightest suspicion in his mind that there was anything in what you were

about to say or do, that did not imply perfect confidence and respect. I was curious then to know how to account for it, that he allowed his bills to be paid. He said, "I always go to the office of the hotel and ask for my bill, having my pocket book in my hand, and the reply is always the same, 'Bishop Kemper, your bill is paid!' and so when I go to pay my stage fare or my steamboat fare, or my railroad fare, it is always paid; and this pocket book I carry back to my home just as I left home with it."

Now, sir, what a tribute is that to the character of that man? In all that wide region among, all the varied characters of men that he met, the hotel keepers, stage drivers, agents of railroads, every man was willing to take his hat off to Bishop Kemper the moment he came in sight, and was proud to do him the reverence implied in that act. I rose to state this because it made a very deep impression upon my own mind, touching the influence of his life in that whole region. And think how very differently the Church of our love must be viewed in that whole region to-day, in virtue not only of his preaching and labors, but of his pure, manly, holy character.

The Rev Dr. THOMPSON, of Illinois. I presume Mr. President, that no man on this floor supposes that he or this House can eulogize Bishop Kemper, for no words which can be said here can do his name or his memory honor. But as he gave his life to the Church of God, so he gave his memory, his death, and his remembrance, to the Church of God as well, and so we speak these words here to-day over his grave, not because we can do that beautiful life, or that beautiful death any honor, but because it is our duty to keep green in our hearts forever more as an example to guide us and the Church, a blessing for all time, the memory of such lives as his. For our own good and the good of those who are to come after us, it is our duty to put on the walls of the Church of God the golden names of those golden men and golden Bishops, who have lived and died, as examples for all time to come. Their memory is a blessing as their lives were a blessing.

There is something, sir, in the remembrance of the Saints that are departed, and that something is this, that they are the seed of saints that are to come, that holy lives in the past are the seeds of holy live in the future. And so it is the duty of the Church in all the days of her pilgrimage on earth to keep sacred and preserve holy and reverently these saintly names and saintly memories. And where in all the Church—not our own, I mean, but in all the links of the Catholic Church, in all lands and times—is there a name to be put on tablets of gold and preserved more spotless and more reverently forever than his whose name we mention here upon this floor to-day?

I suppose no name arouses more of love and more of reverence than his. It is hard for me, sir, to speak of Bishop Kemper, my Bishop in some sense as no other Bishop can be; the man who commissioned me deacon and priest; the man under whom my entire ministerial life almost has been spent; the man to whom I came as a boy, then a gray-headed man, and the man who never changed to me, who was always the same, a father from the first and a father to the last; a man whom I, at the last interview I had with him, broken down in health and waiting to be taken away, was still the same, unchanged. I, then in the full strength of my manhood, the boy that I was when I had met him twenty years before, and he ac-

cepted me as a candidate for Orders. I think till I die I shall never feel that any commendation or praise, or any word that I can receive from men, will equal the last good word that Bishop Kemper spoke to me.

I knelt before him for his blessing. I said, "Bishop, twice you have laid your hands upon me. This is the last time. Give me now your last blessing. I shall probably never see you alive again." I knelt. He laid his hands on me, repeated some very touching words of prayer, and as I rose and grasped his hand, scarcely able to control my feeling or its expression, I looked in his face, and there was the same old cordial greeting in the eye, the one we all knew so well, for the Bishop had beneath all the outward of his character a deep sense of feeling; he looked up with a comical twinkle in the eye, and said, "Well, Thompson, you were always a good boy." At last, I say, that no words of commendation I can ever receive from man can equal those words from him, the father and the Bishop, who above all things was father and was Bishop.

Bishop Kemper was not specially a man of great power, a man of strong intellect, or of powerful or controlling will. Bishop Kemper was not marked for any of these things. The point in his character that struck us all, that was always there and above all and beyond all, was that Bishop Kemper was a Bishop consecrated by God, a Bishop of God's own making, as well as of the making of God's Church, with all the grace of the Apostolate about him, with every power consecrated, with all that he had given up absolutely to that work which God had laid upon him. He cared for no other honor; but that honor, that grand honor of the Apostolate that he bore, he would bear unspotted among men, and although a man humble, lowly for himself, yet for that the slightest degree of disrespect, the slightest degree of affront to him that argued irreverence for the office, was resented instantly. For the office's sake the Bishop was honored, not Jackson Kemper. So wherever he was he struck people. Dr. Haight, his old time friend, has alluded to the impression made on him by what he saw of Bishop Kemper's reception in Wisconsin. Why, sir, it was not with us of the Church, it was with all men, the rudest, the roughest men, with men of all names and all feelings, that this same character of Bishop Kemper was at once recognized and the deepest reverence and respect expressed and shown for him wheresoever he might be.

I remember one day going upon one of the railroads in the State, and passing a station at which Bishop Kemper was expected to come on. The Bishop came into the car in which I sat. I had been conversing, as I came down, with two or three gentlemen in the business walks of life in Chicago and in the State of Wisconsin. One of those men—one of the most active business men in the northwest, and a man of enormous fortune—as the Bishop came on board and I had paid my respects to him, turned around to the neighbor that sat with him, with whom he had been conversing, and said "We have been talking about money-making and about wealth; there is the richest man in the northwest." This neighbor said, "Why, friend, I did not know Bishop Kemper was rich." "Not rich," said he. "Bishop Kemper, I say, is the richest man in the northwest. Why, sir, he would give a million quicker than you or I would a hundred, and we are not paupers either." "Well, but," said he, "I do not understand you. What do you mean? How is the Bish-

op rich?" "Aye," said he, "would you not give your fortune, I would mine, to be greeted with the smile that broke over all those faces when Bishop Kemper entered this car?" It was so everywhere. The man's face, the man's presence, was a benediction. No man came in contact with him but what he felt nearer somehow to God, to the spirit of godliness. The very spirit of the Apostolate breathed from him on all that approached him.

God bless his memory, is the prayer of the American Church; and God grant that the American Church may keep that name engraved on her walls, one of the saintliest names in all the story of Christianity, engraved on her walls for the example of all priests and all Bishops to the end of time.

The Rev. Dr. SCHUYLER, of Missouri. Mr. President, I feel that something should be said for Missouri, and I will therefore occupy the Convention for a very short time.

It is not necessary, certainly, to attempt to depict the character of Jackson Kemper. His character and his life are well known to the Church, but he came first as a Missionary Bishop to St. Louis and took charge of the church of which I am now the rector. For several years Bishop Kemper resided in St. Louis, and his memory is cherished in that parish among all those who were there at the time he resided in the parish. In the chancel of my church, it was my privilege to have erected a memorial window with the inscription, "Jackson Kemper, First Missionary Bishop." We have striven in this way to show our respect for his memory, and he is remembered, not only in St. Louis, and not only in the parish of Christ Church, but throughout the Diocese of Missouri, as a most laborious, hard-working Missionary Bishop.

I had not intended to say anything, and therefore am not prepared to say what I should like to say, but what certainly it is not necessary for the information of this Convention.

The resolution was agreed to unanimously by a rising vote.

DEATH OF THE REV. DR. MAHAN.

The Rev. Dr. HUTTON, of Maryland. In behalf of the Maryland delegation I offer the following resolution:

Resolved, That this House records in grateful remembrance its sense of the valuable services rendered to the Church in its ecclesiastical councils by the Rev. Milo Mahon, D.D., late rector of St. Paul's Church, Baltimore, and for many years a member of this General Convention. His high character and laborious services and the rich and varied learning which he brought to bear upon all questions touching the Church's welfare, together with the wise and comprehensive spirit of love and devotion that actuated him in all his labors as a faithful servant of Christ, merit this appreciative record.

Dr. Mahan's high position and character were so well known, not only in Maryland, but throughout the whole United States, and his valuable services were so appreciated that we deem it unnecessary to add any words of commendation.

The resolution was agreed to unanimously, by a rising vote.

DEATH OF J. MASON CAMPBELL, ESQ.

Mr. CARTER, of Maryland. I offer the following resolution:

Resolved, That this House place upon its records

the expression of its grateful sense of the eminent and long continued services to the Church of the late James Mason Campbell, a lay deputy from the Diocese of Maryland, taken to his rest since the last Convention.

The Rev. Dr. LEEDS, of Maryland. Mr. President, of our dear friend, Dr. Mahan, and also of my most respected parishioner, James Mason Campbell, perhaps the memory is more eloquent than any utterance of the lips could possibly be. I do not rise to pronounce on them any eulogium; I do not feel at liberty to occupy the attention of this House with any words in their praise; but I must say that, while they were well known for their early and their long continued services of great value in the Church, yet both of them, as life began to decay and their vessels were broken, were like alabaster vases: their fragrance came forth from their warm hearts and their generous souls, filling all the circle in which they moved. Never, perhaps, have men died more in the living arms of family, of parish, and of the Church, than the two who now repose with the sainted dead.

The Rev. Dr. STRINGFELLOW, of Alabama. I have listened, sir, with a great deal of satisfaction to all that has been said in this House in reference to the gentlemen deceased in regard to whose memory resolutions have been offered. I had intended to say nothing; but the name of James Mason Campbell brought back to my recollection some of my early associations in connection with the diocese; and I desire to offer my testimony, most willingly rendered, to all that the delegate from Maryland has uttered.

There are some associations that I was privileged to have with Mr. Campbell in my early ministry here in the city of Baltimore, of a peculiar kind, that showed very clearly the character, the habits, and the thoughts of that man as a Churchman, and a Christian. A number of years ago it was my privilege to organize a sisterhood, in this city, which has for some time done so effectually its work. At the time, that sisterhood was organized, there was but one in this country, that of Dr. Muhlenburg, in the city of New York, and there were great prejudices against the institution. We were necessarily contracted for want of means; and after having made an arrangement for the rental of a hospital, not knowing where the funds should come from; a lady of my family determined to take a school for the purpose of supporting the institution.

I remember, as if it were but yesterday, one morning Mr. Campbell coming to my house, and asking me if what he had heard was true. I replied that it was. His only reply was to hand me a check for \$300 on the condition that the lady should abandon the school and the rent of the hospital should thereby be secured. Hence I regard Mason Campbell as the founder of that whole work in the city of Baltimore, the history of which is so familiar. I respect, I revere, his name; and ever since, his conduct has been to me a source of comfort and encouragement, relying with implicit trust and confidence upon the laity of this Church in every work that I have undertaken.

The Rev. Dr. MORSELL, of Delaware. Mr. President, for a long time, for the larger part of my life, I was a presbyter of the Diocese of Maryland. For twenty years I sat in Convention with Mr. James Mason Campbell, to whose memory we are now paying a tribute of respect. Many years ago, when quite a youth, I was a student of law in this city. It was then I first heard of Mr. Camp-

bell as a promising young lawyer, the young lawyer of the most marked promise of that period at the bar in this city. After I became a member of the diocese of Maryland, we participated in many debates. Often have I heard his voice, a voice of great sweetness, a voice of great power, with a ready command of language, always ideas clearly and aptly expressed. I always listened to him with delight and satisfaction. His mind was of such a character that it enlightened every subject which came within its scope. As a man it is my pleasure to speak of him.

Sir, what a debt we owe as presbyters to the laity of our Church, to their unrequited and their unpaid services as vestrymen, as delegates, as representatives to our General Convention. In their kindness to us as their pastors, in the social relation, and in all the places in which we meet them, what a debt the presbyters of our Church, and the Bishops of our Church, owe to our laity.

But, sir, there is one point and one feature in this resolution. Mr. Campbell belonged to a profession which is supposed by many to be antagonistic to the cultivation of that high, pure, moral religious character which belongs to the Christian. There is no profession more frequently attacked than the profession of the law. I have no sympathy with the attacks. I have no faith in them. I have always been the ready defender of a profession, which, maintaining great principles of law, can only find its strength by a faith in God and in the Christian religion. Whenever a man stands conspicuously with his name and character before the land as a lawyer, as a man who is defending the right, we owe to that man an acknowledgment of the service that he has rendered to religion. As a lawyer, Mr. Campbell always maintained the front rank in his profession; and he always illustrated the position of a lawyer, by the virtues of a Christian. And, sir, there is no character that is more lovely, more beautiful, than the contemplation of the life and services and character of a lawyer illustrious at once for his attainments in the legal profession, and his virtues as a Christian.

I thus, from the neighboring Diocese of Delaware, would join my voice in paying a tribute of respect to one whose face I shall see no more, whose voice I shall hear no more. Sir, it is sad, oh! it is heartbreaking, to travel continually amidst these records of our falling friends. It is the autumnal season, and the leaves are falling, and as I come back to my old home and my old associates, and see the vacant place, I feel as if I were treading alone in some vast forest where the leaves are falling and rustling beneath my tread at every step.

The resolution was unanimously adopted by a rising vote.

DEATH OF THE REV. DR. MANNEY.

The Rev. Dr. WELLES, of Minnesota. I offer the following resolution:

Resolved, That this House place upon its records

a deep sense of the loss this Church has sustained in the death of the Rev. Solon W. Manney, D.D., deputy in the last General Convention from the Diocese of Minnesota. His long and unselfish devotion to the interests of the Church as an instructor of youth preparing for the holy ministry, his accurate and thorough knowledge of the history and legislation of the Church, as especially evidenced in the report on the Provincial System presented by him to the last General Convention, and his many qualities of personal worth, not only endeared him to friends and acquaintances, but made him a tower of strength in his own diocese, and a laborer of great service in the general Church.

The Rev. Mr. KNICKERBACKER, of Minnesota. As one who fourteen years labored by the side of Dr. Manney, in missionary work in the great Northwest, I desire to pay a tribute to his memory.

It is indeed, sir, as you remarked at the beginning, a sad and solemn duty in which we are engaged; but the memory of the righteous dead is ever blessed. Dr. Manney was a graduate of our General Theological Seminary. For thirty years he was permitted to labor for his Master in the great West. He was one of the pioneers and founders of the Church in Indiana; he was one of the pioneers and founders of the Church in the Diocese of Wisconsin. For years he was one of the leading and foremost of the presbyters of Minnesota, and in the extension of the Church in that glorious State and diocese. He was a man of warm and genial heart, of bright and finished scholarship.

He was permitted to labor as a teacher in the training of young men for the sacred ministry, and as such has sent forth in our diocese some twenty young men, whose faithful labors in the missionary field are a bright tribute to his memory. He had the confidence of the sainted Bishop Kemper.

He was ever a faithful counsellor, and of his own beloved Bishop, the Bishop of Minnesota. It was my privilege to be by his side as he walked down "the Valley of the Shadow of Death," to see him as he passed sweetly and peacefully away, confident in certain faith, in communion with the Catholic Church, in favor with God, and in charity with men. The resolution was agreed to unanimously by a rising vote.

DEATH OF W. M. TAYLOR, ESQ.

The Rev. Mr. RICHARDSON, of Texas. I submit the following resolution:

WHEREAS, In the Providence of God, the Hon. William M. Taylor, Deputy elect to this General Convention from the Diocese of Texas, died in this city on the 23d ult., whither he had come for the purpose of attending the sittings of the Convention; therefore,

Resolved, That while bowing with submission to the Divine behest, this House yet tenders its sincere sympathy to the Church in the Diocese of Texas in the loss which she has sustained of one so highly esteemed.

I will detain the House but a moment on this subject. The honorable gentleman whose name I present to you, had never been a member of this House; but from the time of his election at our

last Annual Council in June last, he had looked forward with the happiest anticipations to meet his brethren here. He came in due time, and arrived in this city for the purpose of attending this Convention. Immediately upon his arrival, however, he was seized with a fatal illness, and died, as the preamble announces, on the 23d of last month. Unknown here, he was well-known to us in the Diocese of Texas where he had faithfully labored with us, meeting from year to year in our Annual Councils, and no member of our Councils among the laity was more highly honored, and more beloved in the Church, than the Hon. William M. Taylor.

The resolution was agreed to unanimously by a rising vote.

DEATH OF THE REV. DR. BALLARD.

The Rev. Mr. LEFFINGWELL, of Maine. I submit the following resolution:

Resolved, That this House place on record its expression of deep sorrow at the death of the Rev. Dr. Edward Ballard, of the Diocese of Maine, and for a number of years a member of this House.

Mr. President, in the death of the Rev. Dr. Ballard since the last General Convention, the Diocese of Maine has lost not only her most experienced presbyter, but one of the most important members of her Diocesan Convention, and an active working member of the Board of Missions, and the most valuable part of our deputation to this body. It is not my purpose to offer words of eulogy at this time. There are gentlemen upon the floor of this House who knew Dr. Ballard longer than it was my privilege to know him; but, however extended their friendship, their love and veneration for his character could be no greater than my own. I would ask the Rev. Dr. Burgess, of the Diocese of Massachusetts, to speak in regard to Dr. Ballard.

The Rev. Dr. BURGESS, of Massachusetts. Mr. President, I heartily respond to the call from the deputy of the Diocese of Maine, and only a single word need be said in addition to what he has spoken. The Rev. Dr. Ballard was for three successive Conventions a member of this House, and was a member elect at the time of his death. He was a man full of years, having nearly reached the three score and ten, and he had been for forty years a minister of our Church, serving our Lord, not only in the education of young men for the ministry, but chiefly as a parish priest. I might speak of his unusual learning as a presbyter of the Church; I might speak of his historical tastes, and even of the works which he has left, mainly connected with the history of Maine, which are of the utmost value to that State and diocese; but I prefer to speak of him as has been spoken of that eminent officer of the Convention, Mr. Cope, for a long time the Treasurer, simply as the faithful pastor and as the zealous missionary for many years; and I would appeal to those who have gone out to the frontiers of our country and of our Church, and have served in missionary labor, to bear with me testimony that it is often far harder to be persevering there, where everything is cold and almost everything opposed to the Church, than it is to fill a much wider and more important

position, where things are operating far more favorably for the advance of that cause which we have taken in hand by the grace of God. He filled humbly, he filled willingly, he filled cheerfully, the position in which our Lord placed him, and I think at this time I may say but the single word, that the faithful parish priest coming here with sound judgment, with an upright heart, and with a sacred and consecrated experience, cannot be easily spared from even the legislative councils of the Church.

The Rev. Mr. MAGRATH, of Michigan. I trust it will not be taken amiss, if I shall say just one word in reference to the memory of this good man. I would speak of the influence he exercised over the young in college. Some twelve years ago, when I entered the college situated in the town where he was the parish priest, I remember how, with open arms, he received me, and I well remember how, during all the years I was in that institution, he watched kindly over me, and gave me counsels which I shall never forget. His face was always glad in seeing me, as he walked the college grounds from week to week. And, in some sense, all who were in the college partook of his influence. I perfectly recollect the case of a gentleman who was at that time under the influence of a denomination different from our own communion, and I always shall remember, with the most grateful satisfaction, how, on one occasion, with one of the members of the class beneath me, I went to him and introduced a young man who was meditating an entrance into our own communion; and with what kindness he received us, and how excellent was the advice given. I remember that he called us near him and advised us as to our studies; and when we came away, that young man said, 'Oh, he is a man of God.' And at this moment that young man, who, previous to that time, had been indifferent to religious truth, is a laborious parish priest, like the eminent servant of God whom we are remembering, at one of the altars of this Church.

Just after the death of that venerable and holy man, the late lamented Diocesan of Maine, it was proposed to erect in his parish church a memorial window, and Dr. Ballard suggested that that window should contain a representation of the Good Shepherd, and it was so erected; and at this moment I think of him as the good shepherd, especially over the students of the college where his parish was situated, and under the guidance of the Divine Shepherd and Bishop of our souls, now resting in the green grave beside the still waters, where they rest who have been faithful ministers of Christ, and stewards of the mysteries of God.

The resolution was agreed to unanimously by a rising vote.

RITUAL UNIFORMITY.

A message (No. 5) was received from the House of Bishops announcing that the House of Bishops had passed the following resolutions:

Resolved, That in the gravity of the subject and its bearings, this House is unprepared for immediate action on the report submitted by its Committee on Ritual Uniformity without previous consideration of the same in joint committee of the two Houses.

Resolved, (the House of Lay and Clerical Deputies concurring), That a joint committee be appointed for the consideration of the above named report of the Committee of the House of Bishops concerning ritual, and to report, if any, and, if any, what action may be taken in the premises.

The SECRETARY. Shall I read the report?

Mr. WELSH, of Pennsylvania. I ask that the report be read.

The SECRETARY read as follows:

The Committee of five Bishops appointed by the House of Bishops, at the General Convention of 1868 "to consider whether any additional provision for uniformity by Canon, or otherwise, is practical and expedient, and to report to the next General Convention—"

Having held sundry meetings at several different places, at each of which all the members of the Committee were present through the entire session, and having, as they believe, given to the subject-matter entrusted to them that careful consideration which its importance merits, respectfully ask leave to report.

The Resolution under which the Committee was appointed, raised several questions for examination and answer. Is any legislation touching the performance of Divine service, and "the administration of the Sacraments and other Rites, and Ceremonies of the Church practicable?" If practicable, is it, at this time, expedient? If practicable and expedient, shall it take the shape of a Canon or Canons, or shall it be otherwise provided for? And, finally, what shall the actual details of legislation be? Assuredly, these are questions that touch the Church, and its ministers and members, in many and very vital points, and involve many delicate, as well as precious relations.

In considering these questions the Committee have endeavored never to forget that substantial uniformity is entirely compatible with very considerable individual liberty; that non-essentials should never be unduly magnified, and, far less, raised to an equality with essentials; that many troublesome and objectionable things are ephemeral in their nature, and "perish in the using;" and that under any circumstances hasty legislation is ever to be avoided. Nor have they omitted to keep in mind the wise words of the XXXIVth Article of Religion:

"It is not necessary that Traditions and Ceremonies be in all places one or utterly like; for at all times they have been divers, and may be changed according to the diversity of countries, times, and men's manners, so that nothing be ordained against God's Word."

"Every particular or national Church hath authority to ordain, change and abolish, Ceremonies or Rites of the Church ordained only by man's authority, so that all things be done to edifying."

While, however, the Committee have kept these considerations in view, it has been, and is their unanimous conviction, that some action of the General Convention, in regard to the important matters named in the resolution appointing them, is very desirable, if not, indeed, absolutely demanded. Among many reasons for this conviction that present themselves, they venture to ask attention to the three following:

First; it is obvious to remark that there are among us great and growing "diversities of use," in the performance of Divine Service and the offices of the Church. Unless something is done, and done soon, in the interests of uniformity, these diversities bid fair to equal, if they do not exceed, those which, at the period of the Anglican Reformation, were regarded as an evil to be removed; and which led to the decision that "the whole realm" should have "but one use." They occasion, moreover, even now, confusion, trouble, and perplexity among our people; and these evils must increase as their causes are multiplied.

Secondly, it is believed that various services, over and above those provided in the Book of Common Prayer, or set forth in accordance with the provisions of Title I, Canon 13, § XIV. of the Digest, and not coming under the denomination of Sunday or other school services, are publicly used in certain churches. How far liberty in this regard is to be allowed, or in what respects it is to be restrained, the Committee do not undertake to say. It is obvious, however, that any such services are sources of disorder and confusion, in proportion as they are framed on principles and embody acts, words, or forms, come these from what outside quarter they may, that are not in accord with the "doctrine, discipline, and worship," of our own Church, or are foreign to the genius and spirit of our services.

Thirdly, the Committee have reason to believe that, in some instances, the services of the Prayer Book are unlawfully altered or mutilated, and in others are so performed as to make it difficult, to say the least, to distinguish them, except in the language employed, from those of the Church of Rome. Against such wrongs our people have a right to demand protection; and whether they demand it or not, it would seem to be a plain and bounden duty to provide for it.

For these reasons, besides others which it is not necessary to rehearse, the Committee unanimously recommend action by the present General Convention; and after maturely weighing the different modes in which the recommendation may be carried out, they further unanimously recommend, that any action which the Convention may take, shall be in the form of a Canon or Canons.

In proceeding to state the various details which, they believe, ought to be made the subjects of such action as has been proposed, the Committee desire to say, that while, on the great majority of the points presented, there has been entire unanimity of opinion, some things are, nevertheless, proposed, and others are omitted, which, had each member's individual wish regulated the final result, would have been differently disposed of. They have strongly felt that uniformity necessarily involves the giving up of some things, and the acceptance of other things, which individuals may desire, on the one hand, to retain, or, on the other hand, to remove.

The Committee report the following as the matters upon which they respectfully recommend legislation:

I.

They recommend that certain acts in the administration of the Holy Communion, and on other

occasions of public worship, hereinafter enumerated, be prohibited by Canon, to wit:

- (1.) The use of incense.
- (2.) Placing or retaining a crucifix in any part of the church.
- (3.) Carrying a cross in procession in the church.
- (4.) The use of lights on or about the Holy Table, except when necessary.
- (5.) The elevation of the elements in the Holy Communion in such manner as to expose them to the view of the people as objects toward which adoration is to be made, in or after the Prayer or Consecration, or in the act of administering them, or in conveying them to or from the communicants.
- (6.) The mixing of water with the wine as part of the service, or in presence of the congregation.
- (7.) The washing of the priest's hands, or the ablution of the vessels, in the presence of the congregation.
- (8.) Bowings, crossings, genuflections, prostrations, reverences, bowing down upon or kissing the Holy Table, and kneeling except as allowed, provided for, or directed by Rubric or Canon; it being provided that reverence at the mention of the name of the Lord Jesus is not intended to be disallowed; and it being further provided that private personal devotion before or after official ministration, is not to be understood to include or justify any of the acts prohibited.
- (9.) The celebration or receiving of the Holy Communion by any Bishop or Priest when no person receives with him.
- (10.) Employing or permitting any person or persons not in Holy Orders, to assist the minister in any part of the order for the administration of the Holy Communion.
- (11.) Using at any administration of the Holy Communion, any Prayers, Collects, Gospels, or Epistles, other than those provided in the Book of Common Prayer, or under section XIV. of Canon 13 of Title I. of the Digest.

They further recommend here,

- (1.) That no Rector of a Parish, or other Minister, shall be allowed to introduce the Choral service, without the consenting vote of the Vestry, or contrary to the prohibition of the Bishop.
- (2.) That no Surpliced Choir shall be employed, except under the same limitations; and when such Choirs are employed, the only addition to their ordinary attire shall be a surplice reaching to the ankles.
- (3.) That no Chancel shall be allowed to be so arranged as to prevent the minister from officiating at the right end of the Holy Table.

It is to be noted that a Credence Table is lawful.

II.

The Committee further recommend that Canonical provision be made touching the dress appropriate to clergymen ministering in the congregation, and that the only vestments declared to be appropriate to clergymen so ministering be:

- (1.) For Bishops, the present Episcopal Robes.
- (2.) For all ministers, a white surplice; a black or white stole; a black cassock not reaching below the ankles; a black gown; and bands.

They also recommend that provision be made:

- (1.) That on occasions of services where expediency or necessity of health may require it, the University Cap may be used.
- (2.) That candidates for Orders who are licensed to act as lay readers, may use the academical black gown.

III.

In addition to the Canonical provisions now recommended, and in consideration of the fact that "nothing can be so plainly set forth but doubts may arise in the use and practice of the same," the Committee further unanimously recommend that some action be taken to carry out, in such manner as may secure its observance, the principle declared in the second resolution sent to this House by the House of Clerical and Lay Delegates at the General Convention of 1868, to wit, that "in all matters doubtful, reference shall be made to the Ordinary, and no changes shall be made against the godly counsel and judgment of the Bishop."

In conclusion, the Committee recommend the adoption of the following resolutions:

Resolved. That this report be communicated to the House of Clerical and Lay Deputies.

Resolved (the House of Clerical and Lay Deputies concurring), That a Joint Committee, consisting of three Bishops, three presbyters, and three laymen, be appointed, to whom the subject-matter of this report shall be referred, with directions to report to this Convention, at as early a day as practicable, such Canons as they may deem necessary in the premises.

All which is respectfully submitted.

Signed,

ALFRED LEE,
J. WILLIAMS,
T. M. CLARK,
W. H. ODENHEIMER,
J. B. KERFOOT.

COMMITTEE ON CHRISTIAN EDUCATION.

A message (No. 6) from the House of Bishops announced that that House had adopted the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That the Committees of the two Houses of this General Convention on Christian Education be combined as a Joint Committee on that subject.

RITUAL UNIFORMITY.

Mr. WELSH, of Pennsylvania. To bring the subject up, I move a concurrence.

The PRESIDENT. The time is not quite appropriate to move a concurrence. We shall have to go through the regular order of business.

Mr. WELSH, of Pennsylvania. It might be done by common consent.

The PRESIDENT. The order of business is to receive the reports of committees.

The Rev. Dr. HAIGHT, of New York. I move that the rules be suspended for the purpose of taking action upon message No. 5 of the House of Bishops.

The motion was agreed to.

Mr. WELSH, of Pennsylvania. Now, my motion is, that we concur by agreeing to appoint a committee, and that, I suppose, will open the matter for discussion.

Mr. FAIRBANKS, of Tennessee. I should be glad to know whether the Bishops have informed us that they have appointed a committee themselves.

The SECRETARY. That is implied in asking us for a Joint Committee.

Mr. FAIRBANKS, of Tennessee. If they have not appointed a committee, I think it would be premature for us to do so, and it is usual to notify us of the names of the Committee.

The Rev. Dr. HARE, of Pennsylvania. If the Secretary will read the first part of the communication of the House of Bishops, that will answer the question.

The SECRETARY read the message (No. 5) of the House of Bishops.

Mr. WELSH, of Pennsylvania. The motion merely is to concur in that message so far as to appoint the committee.

Mr. McCRADY, of South Carolina. That is a very material thing. Printed copies of that report should be in the hands of every member before we determine how that committee shall be appointed. I have seen this thing before, and have had a contest about it in another body, when we had to discuss changes and arrangements concerning the Prayer Book, and in that case we went through a regular election. We have not got this report before us. We are told that it will be ready in an hour and a half. Would it not be much better to fix an hour on Monday, on which to take this matter up and decide what we are going to do, because your action will be very important indeed? If you are going to do that which will be satisfactory, you must have a representation from this body that it has chosen itself, and it will require members to think a long time of how they shall choose this representation. The Bishops select their own, and when we come here and make our selection, and they come together, they do come with the voice of the Church. Now, suddenly, the rules are suspended and we are asked to take up this motion. Where are your rules? By what vote were they suspended? I think the present rules require a vote of two thirds for their suspension. Was any vote of that kind taken? Was the proposition ever made to suspend the rules?

The PRESIDENT. I thought the vote was almost unanimous.

Mr. McCRADY, of South Carolina. I do not think we really knew what we were about. If there is a disposition to suspend the rules, so be it; but I hope that question will be put, for I know I did not have an opportunity of voting upon it, and a great many other persons were unconscious when it was put. I trust the President will put it again.

The PRESIDENT. The vote has been announced. If, however, any gentleman will move a reconsideration, I will put that question.

Mr. BARBOUR, of Virginia. I move a reconsideration of that motion.

The Rev. Dr. McNAMARA, of Nebraska. I hope it will not be reconsidered. The House of

Bishops have asked for the appointment of this committee. They cannot consider this subject until the committee be appointed. I think it will be a great loss of time to reconsider our action and thus open the subject again.

Mr. WELSH, of Pennsylvania. I presume the motion to reconsider will not be pressed with a proper understanding of the question as it stands. The mode of appointing the committee, has not been named at all. The question is merely whether we will take up the subject now for consideration. If we concur in the appointment of a committee, the time and the mode of appointment remain with us. We may postpone the subject to any future day we please. There is no occasion to take action now.

Mr. BENNERS, of Alabama. The Chair has decided that the motion to suspend the rules has passed. The Chair is supposed to have decided properly. If it is unsatisfactory, the proper way is to take an appeal from the decision of the Chair.

Mr. BARBOUR, of Virginia. I withdraw the motion to reconsider, as I see there is no absolute necessity for it.

Mr. WHITTLE, of Georgia. I think, when the proposition before the House is understood, no one can possibly object to it. If I understand the question from the reading of the message of the House of Bishops, it is simply this: They ask us to unite, in such manner as we please, in the appointment of a joint committee to confer with them upon these subjects. They do in that report, which has been submitted to their House, go on to indicate their line of thought upon certain questions about which they there speak, but they are not themselves committed to it, because they tell you in their communication, that the question is too grave to come to any definite conclusion, until they have a joint committee appointed by this House to act with them.

For myself, as I understand the suggestions of the Bishops, I heartily agree with everything they suggest. For myself, I would go much further in that same direction than they have indicated in their report. I thank God as an auspicious beginning of this Convention, that we have this message from the House of Bishops. I hope we shall promptly respond to it, and appoint a committee to confer with such committee as they shall appoint.

The manner in which that committee shall be appointed, is a matter of indifference to me. When I see the Bishops of our Church, no nearly fifty in number, of every shade of opinion, so far as I have been able to ascertain from my limited information, unanimously coming to this conclusion, I say, let us take it up; do not let it stop; let this good work go on; and let each of us yield whatever we may of our honest opinions and convictions to this lead of the House of Bishops. Let us appoint this committee. It commits us to nothing on earth. The Bishops have committed themselves to nothing. If my distinguished friend from South Carolina, prefers that the committee shall be elected, very well; I will go for it in any way: but I say, let us meet the spirit of the House of Bishops in the message they have sent to us. The subject is properly before the House. We are committed to

nothing by appointing the committee, and let us do it at once; let us suspend every rule, and proceed at once to this really great work of the whole session.

Mr. WELSH, of Pennsylvania. A single amendment may perhaps relieve this matter from all difficulty. With the consent of the House, I will amend my motion so far as to provide that the committee be appointed by ballot, and that the discussion be postponed until Monday next at 12 o'clock, and be made the order of the day for that time.

The Rev. Dr. MEAD of Connecticut. I second that motion. Gentlemen have misunderstood entirely the action of the Bishops. The Bishops have not acted on this subject. They have blinked action, and they want to send it down to us to help them out. That is the amount of it. There is no action on the part of the Bishops except the report of a committee, and they have sent down to us and asked us to give them a joint committee to consider the report of their own committee. That is the point.

I am opposed to rushing hastily into the appointment of such a committee, and I fully agree with my friend from Pennsylvania, that it is far better for us to take this report home with us and deliberate upon it, and on Monday at 12 o'clock, come here prepared to say whether we will appoint a joint committee, and if so, how it shall be appointed; and I am ready to say that the committee on this important question should be appointed, as he now proposes, by ballot, so as to have the full sense of this House. I now second the motion that this matter be laid on the table and made the order of the day for Monday at 12 o'clock.

The Rev. Dr. HAIGHT, of New York. I should like to ask my venerable friend one question in the presence of this House, because, I suppose, he knows better than anybody else. Is there any precedent in the General Convention of the House of Bishops sending down to us a matter for conference which has not previously been between the two Houses, on which they have not acted?

The Rev. Dr. MEAD, of Connecticut. Not at all; and I will answer the question still further. The House of Bishops seem to understand that they are in that relation to this House at this time. The House of Bishops appointed this committee of five at the suggestion or request of the House of Clerical and Lay Deputies in 1868, and the Committee have deliberated from that time to this, and they have brought forth this report. They laid it before their House, but their own House will not act upon it until they get a Joint Committee of the House which asked them to appoint their committee, and thus prepare the whole matter to come before both Houses in an orderly manner. I think, therefore, we may so far concede that this whole question has been before both Houses. The House of Bishops having appointed a committee at the request of this House in 1868, and the committee having reported, they decline acting upon it until we, who requested it, shall appoint a committee to confer with a Committee that they will appoint; and hence, until they ascertain whether we will appoint that committee to confer, they have very properly declined appointing a committee of their

own. I see no difficulty in the subject. I think the whole matter can be arranged satisfactorily, if there be a fair expression of both Houses on this subject, but we want time to deliberate upon it.

The Rev. Dr. HAIGHT, of New York. I think the House ought to understand thoroughly and exactly their position. If I remember aright, at the last General Convention, after the committee on Canons presented two reports, both reports, and the resolutions accompanying them, were laid aside for the introduction of a resolution, to what purport? That the House of Bishops be requested to prepare, in their judgment, certain alterations of the Rubrics and Canons touching this matter; in other words, we went to our right reverend fathers, and asked them to suggest to us further rules in this Church. Now, sir, if I understand the matter, that request has not been complied with. They appointed a Committee to present a report. That report has come to the House of Bishops, and the House of Bishops have not acted. They have not done what we asked and begged at their hands. They have not sent down to us a well-considered scheme on this subject, which they, as a House, are willing to endorse, and which then it would become us to take into consideration, and say whether we would receive it; but they have thrown back upon this House the very subject which gave us so much trouble during the last General Convention, and ask us to take it up again. The end of this thing must be, that we shall go back to them at the end of a long discussion, and ask them to do the very thing we asked at their hands at the last General Convention.

I confess my utter astonishment that any such message as this should have come down to us from the House of Bishops. What, sir! Have the Bishops forgotten what their duty is to this Church, when that duty is respectfully asked at their hands by this House? They send back to us, the presbyters and laymen, to consult with them what answer they shall give to this Church about the most important question of the mode of performing Divine service! I am utterly amazed; and I hope this House will very well consider what course it is proper for them to pursue before coming to the vote. I, for one, as a presbyter of this Church, do not wish to share in one iota the responsibility of presenting, in the first instance, any Canons or resolutions on this subject. It is far too high for me.

The Rev. Dr. MEAD, of Connecticut. I ask for the reading of the action of the last General Convention, under which the House of Bishops appointed the committee. I think it may serve to correct some mistakes already made.

The Secretary read from page 270 of the Journal of the last General Convention, as follows:

"The House of Clerical and Lay Deputies informs the House of Bishops that it has adopted the following resolutions:

"1. *Resolved*, That the House of Bishops be requested to set forth for consideration and adoption by the next General Convention such additional rubrics on the Book of Common Prayer as, in their judgment, may be deemed necessary.

"2. *Resolved*, That meanwhile, in all matters doubtful, reference should be made to the Ordinary, and no changes should be made against the godly counsel and judgment of the Bishop.

"3. *Resolved*, That copies of the reports of the majority and the minority of the Committee on Canons be transmitted to the House of Bishops."

The Rev. Dr. PADDOCK, of Long Island. I ask the Secretary to read the resolution immediately following what he has just read, and which, in the judgment of some, perhaps, brings the matter fairly before this House.

The SECRETARY continued the reading from the Journal, as follows:

"On motion of the Bishop of Maryland, it was

"*Resolved, unanimously*, That the House of Bishops affectionately informs the House of Clerical and Lay Deputies that, in the full trust that the spirit of the second of the three resolutions communicated by that House in its Message No. 78, will be carried out in the action of the clergy and laity of the several dioceses and missionary jurisdictions of this Church, the House deems it unadvisable to enter upon any alteration of the rubrics of our Book of Common Prayer by the insertion of additional matter; but that it will appoint a committee, whose duty it shall be to consider whether any additional provision for uniformity—by canon or otherwise—is practicable and expedient, and to report at the next General Convention."

The Rev. Dr. CLARK, of New Jersey. I suggest to the mover of this resolution to change the time to Tuesday, at 11 o'clock, instead of Monday, at 12 o'clock, in view of the fact that many gentlemen of the Convention may not be able to be back in their places by Monday at 12 o'clock.

Mr. MEADS, of Albany. I hope the House will take time to deliberate before they act upon this resolution. It seems to me that it contains rather more than a simple question of conference by a joint committee on this subject,—it contains, as well, direction. Upon turning to the language of the resolution, it will be found that, after the appointment of this committee, the subject is to be referred, with directions to report to this Convention, at as early a day as practicable, such canons as they may deem necessary in the premises." It commits this Convention to the fact that a report shall be made, and it indicates that it is the expectation of this Convention that the conferences of this committee will result in the reporting of canons.

Mr. SHEFFEY, of Virginia. The gentleman is reading the resolution proposed by the five Bishops. That is not the resolution that is now before this body.

Mr. WELSH, of Pennsylvania. I am perfectly willing, at the request of gentlemen, to modify my motion, and say that the further discussion be postponed until Tuesday next, at 11 o'clock, and made the order of the day for that time.

Mr. MEADS, of Albany. I simply wish to know what are the terms of the resolution; whether it does not commit this House to action by

canon. The original question upon which we asked the advice of the Bishops, was as to canon or rubric. Without attempting to determine anything definitely without a further conference with this body, as I understand it, implies that this thing is to be done by canon, a question which, in itself, is an important one, for it would seem to be a question, in the judgment of many, rather of rubric than of canon, but this seems to settle it that it shall be by canon.

The SECRETARY again read the resolution of the House of Bishops.

Mr. WITHERS, of Virginia. I beg to inquire whether it is not courteous in us to signify a purpose of acceding to the request of the House of Bishops? We can certainly do that much without committing ourselves in any way. The House of Bishops present themselves here with a request that we appoint a joint committee to consider the report which now lies before them. It is certainly competent, and proper, and courteous in us that we should signify a purpose to appoint the committee that they desire, and it is certainly very right and proper that we should defer the appointment of that committee to such time as may be, in the judgment of this House, most appropriate; but I think we ought to take action on so much of that request as to pass a resolution signifying that we will appoint the committee asked for.

The Rev. Dr. ADAMS, of Wisconsin. I feel that this debate will be an exciting one. It will be an important debate, inasmuch as we shall go into questions that agitate the Church of England, and agitate ourselves. This House ought to be eminently fair in the discussion of this question, so that no one shall be able to say, "We have been run down by mere will, or by mere numbers." This committee, as I understand, is to consist of three bishops, three presbyters, and three laymen. Such a committee as that is eminently capable of being manipulated, and becoming two to one, and giving no chance to the minority. I think, therefore, we should have a committee of five of each order.

The Rev. Mr. EGAR, of Pittsburgh. The Rev. gentleman from Wisconsin has fallen into the same mistake as the gentleman who preceded him. The resolution before us does not name any number.

The Rev. Dr. ADAMS, of Wisconsin. That is all right, sir. I wish to make a suggestion before this committee is appointed, in order that if I get the common sense of the House with me, as I believe I can in this case, they may remember the suggestion, and not allow themselves to fall under the imputation that this thing is altogether settled, that they put the committee in such a shape that men may say, "You had a committee of two to one, and you manipulated it in such a way that you put us down." We want a committee in which there can be discussion, in which the minority can be represented, so that when the whole thing is over this House may see that it was done in the fullest and fairest way, doing justice to all. Mark you: I offer no resolution in this matter; I simply suggest it;

and I believe it is good to suggest it now, for the saying of a great statesman was true: "The sober second thought of the American people comes always right in the end."

The Rev. Dr. ABERCROMBIE, of New Jersey. I ask whether the question before the House is not the question of postponement until Tuesday at 11 o'clock. That motion, I think, was offered and seconded by the Rev. deputy from Connecticut.

The PRESIDENT. The resolution is before the House accompanied with a motion to postpone.

The Rev. Dr. MEAD, of Connecticut. It is a motion to lay on the table. Here comes a message from the House of Bishops, Mr. President. Some members seem to be of the opinion that whenever a message comes in from the House of Bishops, we must forthwith consider it. Why, sir, the Secretary will sometimes have half a dozen messages lying on his table, and any one can move to take up any one of them. We can supersede this, and take up some other message, if we choose. Now, hastily, a motion was made to go forthwith into the appointment of a committee—for what purpose? I say that the appointment of the committee requires time, and the motion to take up the subject was a hasty motion. We have a right to lay it on the table and make it the order of the day for Monday at 12 o'clock, or Tuesday at 11 o'clock, or two weeks hence if we choose, or put it so far off as to indefinitely postpone it. The motion now before the House is to lay the matter on the table and make it the order of the day for Tuesday next at 11 o'clock.

The gentleman who has just spoken was under the error of supposing that because the committee appointed by the Bishops had recommended to them such an appointment, they not having accepted the recommendation, therefore we must have a committee of a certain number. On Tuesday next, when we come to the question of appointing a committee, if we decide to do so, we shall next decide what shall be the number and how they shall be appointed. I say all this discussion is idle and wasting time, when by laying the matter on the table, as it necessarily must be, until Tuesday, we shall have an opportunity to reflect and to come prepared to act wisely, I hope.

The PRESIDENT. The question is on the following resolutions, offered by Mr. Welsh, of Pennsylvania:

Resolved, That message (No. 5) from the House of Bishops be so far concurred in as to appoint the proposed committee, by ballot; and

Resolved, That the further consideration of the subject be postponed until eleven o'clock on Tuesday next, and that it be the order of the day at that time.

Mr. MEIGS, of New Jersey. The question, as I understand it, has not been put distinctly that this subject be laid upon the table. If so, it would not be in order to discuss it, and the introduction of any fresh matter would not be admissible until the question had been taken on laying on the table. I

rose for the purpose of making the distinct motion that this whole subject be laid on the table, to be taken up for consideration and made the order of the day for Tuesday at eleven o'clock.

The PRESIDENT. It is moved that the resolution of the gentleman from Pennsylvania be laid on the table.

The Rev. Dr. VINTON, of Massachusetts. Does not that resolution itself include a proposition to postpone, and is not this a simple repetition of the idea?

The PRESIDENT. No, sir, it is very different.

The Rev. Dr. VINTON, of Massachusetts. In what respect?

The PRESIDENT. And besides, permit me to say to the gentleman, the motion to lay this resolution on the table is a proper one to accomplish his object. That lays the whole subject on the table, and the whole subject will come up before us on Tuesday, after we have time to reflect upon it.

The Rev. Dr. VINTON, of Massachusetts. I should like to have the proposition of the gentleman from Pennsylvania read once more.

The SECRETARY read the resolution.

The Rev. Dr. VINTON, of Massachusetts. That resolution proposes to postpone until Tuesday, and the motion caps that to lay that motion on the table.

The PRESIDENT. Exactly.

The Rev. Dr. VINTON of Massachusetts. I suggest to the gentleman from Pennsylvania to withdraw the last clause of his resolution.

Mr. WELSH, of Pennsylvania. I am perfectly satisfied with laying it on the table. That is entirely agreeable to me.

The Rev. Dr. VINTON, of Massachusetts. But it makes a sort of double legislation.

The PRESIDENT. There is this very great difference: The resolution of the gentleman from Pennsylvania can be discussed until to-morrow morning, and the motion to lay on the table cannot be discussed at all. The question is on the latter motion.

Mr. MEADS, of Albany. Is it the understanding that this is a motion to lay the whole subject on the table, so that the motion of the gentleman from Pennsylvania, as well as the further consideration of the subject lies over to be taken up together? ["Yes."]

The PRESIDENT. Is the motion to lay on the table withdrawn? If not, debate is not in order.

Mr. MEIGS, of New Jersey. I insist on the motion to lay the whole subject on the table, and make it the order of the day for Tuesday next at eleven o'clock.

The motion was agreed to.

INVITATION FROM MARYLAND HISTORICAL SOCIETY.

The PRESIDENT laid before the House an invitation from the Maryland Historical Society, tendering the use of their rooms to the members of the General Convention.

On motion of Mr. Douglass, of Missouri, it was,

Resolved, That the invitation of the Maryland Historical Society, to visit the rooms of the said Society, be accepted, and that the thanks of the House are hereby tendered for the same.

COMMITTEE ON ELECTIONS.

The PRESIDENT. The Chair will now call the committees, in order, for reports.

The Rev. Mr. Shipman, of Kentucky, from the Committee on Elections, reported that the certificates of election of clerical and lay deputies to this House had been received from every diocese in union with the Convention, thirty-nine in number; that the certificates were all in due form, and that the committee had given to the Secretary a list of the names of those entitled to sit as members of the House, being the same as have been entered on the roll and called by the Secretary.

NUMBER OF DEPUTIES.

The Rev. Dr. Haight, of New York, presented the following report, which was read:

"The Committee on Canons, to whom was referred the expediency of proposing an amendment to the Constitution, reducing the number of clerical and lay deputies from each diocese, respectfully report, that such amendment would, in their opinion, be inexpedient at the present time, and ask to be discharged from the further consideration of the subject. By order of the Committee,

"WILLIAM COOPER MEAD, D.D., *Chairman*."

The Rev. Dr. HAIGHT, of New York. I do not know that it is necessary for me to offer a single word in explanation of this report. The committee are unanimously of the opinion that it would be unwise to propose any alteration at the present time, and ask to be discharged.

Mr. RUGGLES, of New York. I beg leave to offer as an amendment to such resolution, if it be a resolution, as I suppose it is, to discharge the committee.

The PRESIDENT. You can offer a subsequent proposition.

Mr. RUGGLES, of New York. My object is to bring the question before the House for discussion. The question is all important to the preservation of the General Convention itself; it is of the greatest possible gravity, and should be discussed. There are two sides to the question, it seems to me, and it ought to be discussed. I offer, in such form as will be in order, the following preamble and resolution:

WHEREAS, The organized dioceses of the Church, including the new Diocese in Pennsylvania, recently admitted, now amount to forty in number, and are entitled, under the Constitution, to 320 representatives in the House of Clerical and Lay Deputies; and whereas it is deemed desirable to facilitate the further increase of dioceses, at the same time fully preserving the authority and efficiency of the General Convention; therefore,

Resolved (the House of Bishops concurring), That the representation in the House of Clerical and Lay

Deputies should be reduced without delay, by Constitutional amendment, to three clerical and three lay deputies from each diocese.

In view of its importance, I shall close a few remarks by a motion to lay this subject on the table, to be taken up for discussion at 12 o'clock on Monday next, before the great agitation shall come on upon the other subject, which will occupy all the time. That is my object in having it considered so early; and I do beg gentlemen of this body now to turn their attention to this question, and turn their thoughts to it, that we may have a full and fair discussion of the question in all its bearings on Monday next. It involves the question of the Provincial System in its practical effects. It involves the preservation of the authority of the General Convention. It prevents the dismemberment of the Church and its destruction into fragments and portions; and in a word the preservation in the full plenitude of its power of this present great body.

I beg, therefore, that gentlemen will turn their thoughts upon it until Monday, attentively, and that we may take it up on Monday, and examine and discuss the question.

Therefore, I move to lay it on the table that it may be taken up on Monday at twelve o'clock.

Mr. MEIGS, of New Jersey. Is it the resolution that is to be laid on the table, or the report of the Committee on Canons?

The PRESIDENT. The resolution and report also.

Mr. MEIGS, of New Jersey. There has been no action on the report of the committee.

The PRESIDENT. No, sir.

The Rev. Dr. HAIGHT, of New York. It does not require any action.

The motion to lay on the table was agreed to.

The PRESIDENT. The deputy from New York also moved to make the matter just laid on the table the order of the day for Monday next at twelve o'clock.

Mr. OTIS, of Illinois. I hope that will not be made the order of the day. The effect is to postpone all important business that requires work, to discuss a theory—a theory which the Committee on Canons have considered and reported against. Now we are to take that up and place it in advance of the legitimate business, which is waiting on our table to be done, and which requires to be acted on, for the purpose of discussing a theory as to when we shall commence reducing the numbers of this body—a theory which our children who come after us will be more likely to be interested in than we are. This body cannot reach a number so as to be unwieldy for many years yet, and I do not think it advisable to fix a time when we shall discuss such a subject in advance of other business. I have no objection to its being taken up at some time; but I object to its being made the order of the day for Monday, when there are memorials here that have come a thousand miles, waiting for a chance to be presented, and cannot be read because memorials

and petitions are not reached yet. They were not reached yesterday nor the day before; and we are heading them off, postponing them to take up a new proposition, and make it the order of the day ahead of them. I hope the House will vote down the proposition to make this the order of the day for Monday.

Mr. RUGGLES, of New York. I withdraw the motion, but I beg to say that it is not at all a theoretical motion,—it is an eminently practical motion. There is a great evil impending upon us, and it is necessary to have prompt action by an amendment of the Constitution. I trust the House will listen to it at some time during the session, but I withdraw the motion at present, with leave to call it up at any time that is proper.

EFFECT OF DIVIDED VOTES.

The Rev. Dr. Haight, of New York, submitted the following report:

"The Committee on Canons, to whom was referred a proposed new rule of order in relation to the division of votes of a clerical or lay delegation from any diocese, and providing that each divided vote shall be counted as a half vote on each side of the question, respectfully report that the proposed new rule would, in their opinion, conflict with the second Article of the Constitution, and ask to be discharged from the further consideration of the subject. WM. COOPER MEAD, D.D., *Chairman.*"

Mr. JUDD, of Illinois. I move, as an amendment to that report, the resolution which I had the honor of offering for the consideration of this Convention. I do not ask that I shall be heard upon it now, but upon that motion I desire to say that, if at some future time, the Convention shall do me the honor to listen to me for a short time, I will show that for more than fifty years—for more than half a century after the adoption of the present Article of the Constitution referred to in that report—the uniform construction of this body was directly the reverse of that of the committee.

The Rev. Dr. HAIGHT, of New York. Do you move to lay the report on the table?

Mr. JUDD, of Illinois. I move, as an amendment, the resolution which I had the honor to present.

The Rev. Dr. HAIGHT, of New York. What was that?

Mr. JUDD, of Illinois. That it be adopted as a rule of the House. I do not care to take up the time of this body now, and I ask that it be postponed.

The Rev. Dr. HAIGHT, of New York. I think you will get to the point you are aiming at, by simply moving to lay the report on the table.

Mr. JUDD, of Illinois. Very well. I will do that. I want to show that the construction here contented for has grown up since 1841.

The Rev. Dr. HARE, of Pennsylvania. I have been a pretty careful student of the history of our Church,—have carefully studied its journals, and certainly new light will be brought to me if the

gentleman can prove that which he has said. I shall be greatly glad if he would name an hour at which the subject shall be taken up, so that I may benefit by the important facts which he will disclose.

Mr. JUDD, of Illinois. If the gentleman desires some light, I am prepared to give it to him at this moment, if the Convention is ready.

The Rev. Dr. HARE, of Pennsylvania. I hope not, because we are within twenty-five minutes of adjournment, and the matter cannot be entered into at all without provoking a prolonged debate.

Mr. JUDD, of Illinois. I dislike to move to postpone it to a given day, because I am afraid I shall interfere with some other important business; but, to test the sense of the House, I move to postpone.

The Rev. Dr. HAIGHT, of New York. It can be brought up any day, and be postponed to the next day.

Mr. JUDD, of Illinois. Very well.

Mr. McCRADY, of South Carolina. When a report is made, as I understand, it then goes on the calendar, and it stands there, unless somebody moves to take it up immediately, or the committee ask that.

The PRESIDENT. Exactly,—that is the true practice.

Mr. MASSIE, of Virginia. May I ask, then, that there be a distinct understanding that the gentleman from Illinois will give a day's notice when he wishes to call this up? There are more than one here who wish to hear him on the subject.

Mr. JUDD, of Illinois. Very well. I will, with pleasure, give the notice. I personally do not feel so much interest in it, except to uphold the rights of representation, and I desire to be heard, and see whether it is possible for this body to reverse a construction of more than half a century.

The PRESIDENT. The report goes on the calendar.

VOTES BY ORDERS.

The Rev. Dr. Haight, of New York, submitted the following report:

The Committee on Canons, to whom the same was referred, have had under consideration the following resolution:

Resolved, That it be referred to the Committee on Canons to inquire and report whether the conjunctive "and" between the words "clerical" and "lay," in Article II. of the Constitution, be not an unauthorized substitution for the disjunctive "or," and that if it be found to be authorized, the committee then report upon the expediency of making an amendment to the Constitution, substituting the word "or" for the word "and."

And the committee thereupon report that in the original document containing the first Constitution of the Protestant Episcopal Church in the United States of America, bearing date on the 2d day of October, 1789, the clause referred to is as follows: "In all questions when required by the clerical or

lay representation from any State," that the word "or" was uniformly used until the year 1808; that since that period the word "and" has been printed instead of "or;" that the original test of the Constitution has not been changed in the mode prescribed by the Constitution, and that the alteration was a mere typographical error and is an unauthorized substitution. The Committee, therefore, recommend the adoption of the following resolution:

Resolved (the House of Bishops concurring) That the Secretary in all future publications of the Constitution cause the word "or" to be printed between the words "clerical" and "lay" in the second article of the Constitution instead of the word "and."

By order of the Committee,

WM. COOPER MEAD,
Chairman.

The Rev. Dr. HAIGHT, of New York. My colleague, Judge Sheffield, has been requested by the Committee to explain this matter to the Convention.

Mr. SHEFFEY, of Virginia. Mr. President, the report of the committee substantially contains the facts as ascertained by the committee. It was the subject of investigation and inquiry long ago how this word "or" happened to be dropped out, and the word "and" inserted in the clause referred to, and not until the year 1870 was it definitely ascertained that there had been an illegitimate or unauthorized substitution, although investigations had failed to discover any authority for the change. In the volume of original journals preserved and certified by Bishop White as genuine and correct, the journal of 1789 is found in which the copy of the original Constitution is set forth, and also reference is made by the examiner, Major Bell, to the written copy of the original Constitution. In the original Constitution, as set forth in the book of journals certified to be correct by Bishop White, the word "or" is found, and in the successive republications of the Constitution down to 1808 the word "or" uniformly occurs. In 1808 there was a new digest of the Canons and a republication of the Canons with the Constitution prefixed, directed by the General Convention. That publication was certified to be correct by Dr. Hubbard and others, who were members of the committee of 1804, that certified to the correctness of the Constitution and Canons at that time, the certificate of 1804 setting forth that the Constitution containing the word "or" was the correct transcript from the standard. Two of these same presbyters and Bishops certify in 1808 that the Constitution with the word "and" between the words "clerical" and "lay" is also a true transcript from the standard in the archives of the Church. Evidently, therefore, a mere clerical omission or error crept in at that time; and since that time down to this, neither in any journal of this Convention, nor in any action of the Diocesan Conventions, nor in any reference to the Constitutional authorities of the Church is there to be

traced any authority for this change or substitution. We, therefore, after having exhausted the investigation, come to the conclusion that, like many other errors that creep into public documents, even the translation of the Scriptures itself referred to in one of the communications here, errors creep in which are reproduced and continued, and handed down from one generation to another. My distinguished friend, Judge Battle, mentioned a case in committee which I will beg leave here to restate. That in the original Constitution of North Carolina in 1776, there was a clause which in some subsequent year was changed so as to substitute the word "imprisoned" for "continued," and the result was that it had to go the courts for the purpose of interpreting the meaning of the language, and after reference to the original record it was found out that it was a clerical error.

I happen to have in my hand the certificate of our present Secretary in reference to this matter, which, as it is a rare and curious subject, I beg leave to read for the information of the body.

"GENEVA. New York,
"March 29, 1870."

"I hereby certify that the above paragraph"—
Which is in these words:

"The Church in each State shall be entitled to a representation of both the clergy and the laity; which representation shall consist of one or more deputies, not exceeding four of each order, chosen by the Convention of the State; and in all questions, when required by the clerical or lay representation from any State, each order shall have one vote."

The certificate is,

"That the above paragraph, copied from Hawks' & Perry's reprint of the journals of the Convention, vol. 1, page 99, in particular the words "clerical or lay" in line 5th of article two of the Constitution, are correctly printed from the reprint of the journals of the Convention issued in 1817 by John Bioren of Philadelphia, and edited by Bishop White, under the authority of the said General Convention, as appears from a comparison with a copy of the said edition of 1817, deposited among the files of the General Convention by the said Bishop White, and bearing his name; and that both reprints, as far as the aforesaid paragraph and words are concerned, are a correct and exact copy of the original journal of the said Convention, as published in Philadelphia in 1790 (see page 9, line 5th, of 2d paragraph), both having been by me this day compared with a copy of said original journal as contained in a volume belonging to the General Convention, and bearing the following autographic certification, viz.:

"This volume is the only entire collection within my knowledge of the original journals of the General Convention from the beginning for the space of thirty years. It may be of use in determining on any questions which may arise concerning any particular of the republication of the journals by John

Bioren. Accordingly I deposit it with the Committee appointed by the last General Convention for the collection of journals.

"(Signed), WILLIAM WHITE."

"I further certify that the original of the above certification is in the hand-writing of Bishop William White.

"Witness my hand this 29th day of March, in the year of our Lord 1870.

"WILLIAM STEVENS PERRY,
"Secretary, &c."

This contains in substance the statement of the facts which I am authorized by the committee to make to the House.

Mr. MEIGS, of New Jersey. I move the adoption of the resolution presented by the Committee on Canons on this subject.

The Rev. Dr. PERRY, of Western New York. Before taking this vote it may add confirmation to what has already been said if I exhibit to the members of the Convention this set of the original journals spoken of by Bishop White in this autographic certification prefixed, as the only complete set in his knowledge when it was prepared; and it is also interesting as the set from which the reprint, spoken of in this communication, given by him, was made. [Exhibiting the volume.]

I trust that this little discussion may call up before the Convention the importance of the republication of its early journals, which are now practically inaccessible to all who would acquaint themselves with the facts and documents of our early history. A little exertion on the part of the members of this Convention, and the clergy of our Church would secure to our Church what I cannot but think would be a great boon.

The PRESIDENT. It is moved that the resolution reported from the Committee on Canons be adopted.

The motion was agreed to.

JOINT PRAYERS.

The Rev. Dr. Abercrombie, of New Jersey, submitted the following report:

The Joint Committee of Conference on the daily opening of the religious services of this House, respectfully report, that upon consultation with the committee appointed by the House of Bishops, it was found, to the great regret of all the members of the committee, that the convenience of the Houses of Bishops, and Clerical and Lay Deputies, essentially require that separate opening religious services should be held in the churches in which the Houses respectively meet for business, your committee understanding that the presiding Bishop will appoint one or more Bishops to be present at the said services of this House.

Resolved, That this House, while regretting the inexpediency of joint religious services with the House of Bishops, will meet for Divine service every day, at half past nine A.M., and proceed to business immediately after the close of the services.

The Rev. Dr. ABERCROMBIE, of New Jersey. I am requested to state that the House of Bishops, through its committee, wish to express to this House, that there was no indisposition on their part to meet with this House for Divine service in this church, but that from physical infirmity on the part of some of the members of their House, from the early meeting of committees there, and from other considerations, they found it was inexpedient and inconvenient for them to meet for Divine service with this House in this church.

Mr. MASSIE, of Virginia. I call attention to the fact that the hour mentioned there is in conflict with one of the rules of this House.

The PRESIDENT. It is in conflict with the order made by the House, but if we adopt this resolution this order will be superseded.

Mr. MASSIE, of Virginia. I suggest, if that will not cut off committee work too much, I suggest as an amendment ten o'clock, instead of half-past nine. If we adopt half-past nine, and get in the habit of coming half an hour late, as we shall do, the result will be to lose more time than if we come promptly at ten.

The PRESIDENT. That amendment can be moved.

Mr. MASSEI, of Virginia. I do move it.

The amendment was agreed to.

The resolution as amended was agreed to.

AFRICAN MISSION.

The SECRETARY presented the report of the African Mission, prepared by Bishop Payne; which was referred to the Committee on the Domestic and Foreign Missionary Society.

BELIEF OF LARGE DIOCESES.

The Rev. Mr. Rogers, of Texas, presented a memorial from the Diocese of Texas, praying that that portion of the diocese generally known as Western Texas be set off from the present diocese and embraced within the missionary jurisdiction of the Church; which was referred to the Committee on Canons.

Mr. Otis, of Illinois, presented the following resolution, which was agreed to:

Resolved, That the Committee on Canons be requested to consider and report whether under the present law of this Church a diocese too large in territorial extent for the proper Episcopal supervision of a single Bishop can surrender a portion of its territory, so as to provide a missionary jurisdiction for the Episcopal oversight of a Missionary Bishop. Also, to report additional canonical provisions, should any such in their opinion be deemed expedient, for the relief of such large dioceses as cannot be divided under the existing provisions of article 5 of the Constitution, nor under the same as proposed to be amended by the pending amendment thereto.

PROPOSED CANON.

The Rev. Dr. Watson, of North Carolina, presented a proposition for a proposed canon; which without reading was referred to the Committee on Canons.

The hour of adjournment fixed by resolution having arrived, the House adjourned.

FIFTH DAY.

MONDAY, October 9, 1871.

Morning Prayer was said by the Rev. A. Jackson, D.D., LL.D., a deputy from the Diocese of Connecticut, assisted by the Rev. Edwin M. Van Deusen, D.D., of Central New York, and the service was concluded by the Rt. Rev. Manton Eastburn, D.D., Bishop of Massachusetts.

The Journal of the proceedings of Saturday last was read and approved.

OBITUARY NOTICES.

The PRESIDENT. I venture to suggest that there was one honored name omitted in the notice of that large number who have departed from this world since the last General Convention of one who has departed very recently,—a young man of Indiana of high promise in the Church; and the delegates of the Diocese of Indiana are desirous of introducing a resolution, along with the rest, in honor of that most admirable man. If it is the pleasure of the House to dispense with the order of business for a moment, that resolution will be introduced.

The Rev. Dr. MEAD, of Connecticut. There are two other gentlemen who have deceased since the last General Convention, whose names are noted in the records of this House, one of them one of the most valuable members we have had in the House,—a dear friend of mine, the late Christian F. Hanckel, of South Carolina; the other, another valued member, until he was elevated to the House of Bishops,—the late Bishop of New Hampshire, Carlton Chase. While we are taking notice of younger members, we should not forget the others. I move that the rules of order be suspended, so as to receive notices of any other names.

The PRESIDENT. I will suggest, in that connection, that, considering the large amount of time devoted on Saturday to that subject, it would be well simply to introduce the resolutions without eulogistic remarks. The question is now on the motion to suspend the order of business for the purpose of receiving such resolutions.

The motion was agreed to.

The Rev. Mr. Van Antwerp, of Indiana, submitted the following resolution, which was adopted unanimously by a rising vote:

Resolved, That this House place upon its records the expression of its grateful sense of the services to the Church and this Convention, of the Rev. Thomas Mills Martin, one of the deputies of the

Diocese of Indiana, taken to his rest since the last General Convention.

The Rev. Dr. BAILEY, of Vermont. I should like to bring in the name of the Rev. Dr. Hicks, of Vermont, for many years a member of this House. I will prepare a resolution and hand it to the Secretary.

The resolution being considered as presented, was adopted unanimously by a rising vote.

The Rev. Mr. Richardson, of Texas, offered the following resolution, which was adopted unanimously by a rising vote:

Resolved, That this House place upon its records an expression of its sincere sympathy with the Church in the Diocese of Texas, in the loss of the Rev. Benjamin Eaton, one of her most honored presbyters, and for many sessions a member of this body.

The Rev. Dr. HUBBARD, of New Hampshire. I have a resolution in regard to the late Bishop Chase, of New Hampshire, as suggested by the Rev. deputy from Connecticut.

Resolved, That this House records its reverent estimation of the eminent services to the Church of the Rt. Rev. Carlton Chase, D.D., Bishop of New Hampshire, and long a member of this House, deceased since the last General Convention.

The resolution was adopted unanimously by a rising vote.

The Rev. Mr. Porter, of South Carolina, submitted the following resolution:

Resolved, That this House records its expression of sorrow at the death of the Rev. Christian Hanckel, D.D., of South Carolina, for many years a valuable member of this body.

The Rev. Dr. MEAD, of Connecticut. I second that resolution.

The resolution was adopted unanimously by a rising vote.

MESSAGES FROM THE BISHOPS.

The following messages were received from the House of Bishops:

A message (No. 7) announcing that that House had adopted the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That a Joint Committee on the part of this House of three members be appointed to consider and report what measures, if any, are practicable for securing the better order and despatch of the business of the General Convention.

A message (No. 8) announcing that that House has adopted the following resolutions:

Resolved, That this House will meet at one o'clock P.M. on Thursday the 12th instant, in order that the members may join with the Board of Missions in the celebration of the fiftieth anniversary of the Domestic and Foreign Missionary Society, on the morning of the above-named day.

Resolved, That a committee of three on the part of this House be appointed to co-operate with the Committee of the Board of Missions, and the House of Clerical and Lay Deputies, in providing for a

proper improvement of the fiftieth anniversary of the Foreign and Domestic Missionary Society;

And that under the above resolutions, the Bishop of Colorado, the Assistant Bishop of Ohio, and the Assistant Bishop of Indiana, are the committee on the part of the House of Bishops.

A message (No. 9) announced that that House had passed the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That this General Convention does hereby recognize the union with the General Convention of the new diocese to be erected within the limits of the Diocese of Pennsylvania, ratified by the action of the present General Convention, to take effect from and after Wednesday, the 8th day of November next; and that the name of the said diocese be determined by the Primary Convention thereof, with the consent of the Bishop of Pennsylvania.

A message (No. 10) that that House had passed the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That a Joint Committee of the two Houses be appointed to prepare and present to the next General Convention, a version of the Book of Common Prayer in the Spanish language.

SERVICES THIS EVENING.

Mr. WELSH, of Pennsylvania. I desire to make a report from the Committee of Arrangements, relative to the services this evening. It is that besides the selection of Bishops and Clergy to officiate on the occasion, the committee have arranged that provision be made for the accommodation of the House within the space now fixed by the barriers; and as there are some vacant pews, unless otherwise instructed by the House, the Committee will give orders that the Members of the Board of Missions, and all other clergy, may be invited. The House of Bishops will be accommodated in the chancel. That portion of the gallery now occupied by the families of Bishops and delegates will be reserved, and somewhat extended to-night. The rest of the House will be opened for the general public.

In addition to that, the committee further report that the sermon to be preached to-night, at their request, will be placed after its delivery at the disposal of the Convention. The committee think this best, because it was stated that the Lord Bishop of Lichfield, was to leave early to-morrow morning. It is for the House to take any action in regard to it, if they deem it fit.

QUESTION OF PRIVILEGE.

The Rev. Dr. ANDREWS, of Virginia. I rise to a question of privilege. I see a sermon circulated in the House this morning, delivered by our President, in which there is a document therein contained to which my name appears to be attached. My name has never been attached to it, as the chairman has already been informed.

The PRESIDENT. Yes, sir, through a letter received. I hope you received my reply also.

The Rev. Dr. ANDREWS, of Virginia. I did. The sermon is by the President.

The PRESIDENT. Does Dr. Andrews desire any explanation on that point to be given to the House?

The Rev. Dr. ANDREWS, of Virginia. No more than to have the fact mentioned that my name was put there without my authority, and that I am not at all responsible for the article to which it is appended.

The PRESIDENT. I replied to the Reverend deputy from Virginia, expressing my great pleasure that his name had been placed there without his authority, but explaining that I found it on a document and did not see, and never had seen, his disclaimer, until I received his letter.

The Rev. Dr. VINTON, of Massachusetts. I rise to a similar question, but I am inclined to place it on broader foundation than my reverend brother has done. I find in the body of this sermon, which bears the *imprimatur* of "the Rev. James Craik, D.D.," now officiating as the President of this Convention, a certain document. The sermon, it seems to me, has a peculiarly striking and lovable text:

"Beloved, let us love one another: for love is of God, and every one that loveth, is born of God, and knoweth God. He that loveth not, knoweth not God: for God is love."

Mr. WHITTLE, of Georgia. I rise to a question of order. It is impossible for any one to foresee what all these matters are going to lead to, and I raise a question of order, inasmuch as this thing has nothing to do with the proceedings of this House.

The Rev. Dr. VINTON, of Massachusetts. A question of privilege, I take, it is in order.

The PRESIDENT. A question of privilege is in order; but the question is, whether this is a question of privilege.

The Rev. Dr. VINTON, of Massachusetts. It has been admitted to be a question of privilege once. Will the President pronounce whether I am out of order? If the gentleman says I am out of order, will he put in writing the words which are disorderly? If not I submit that I have the floor.

Mr. WHITTLE, of Georgia. I have not stated my point. If the question now sought to be made a question of privilege relates to matter before the House, or is germane, in any, the broadest, sense, to any question which is before us, then a question of privilege may arise under it. Unless it is (and I humbly submit that it is not as far as I understand), it is no question of privilege, and cannot be made so. I would not make this point of order, which, as I understand, is correctly made, but that I cannot see what all this may lead to; and I do say that other gentlemen must see that it is foreign to the proceedings of this House, and no question of privilege can arise from it.

The Rev. Dr. VINTON, of Massachusetts. No person can make a proposition without a preface, and when I have announced my purpose, the gentleman can then see whether I am the author of any disorderly language. If so, it is for him to pronounce.

Mr. WHITTLE, of Georgia. The gentleman will allow me to apologize. I do not say that he has pronounced anything disorderly; but the paper from which he is making the point of privilege, is in no way before us as a House.

The Rev. Dr. VINTON, of Massachusetts. It is introductory to my remarks, and absolutely necessary to my subject matter.

Mr. WHITTLE, of Georgia. I hope the gentleman will understand that I meant no discourtesy.

The Rev. Dr. VINTON. I understand that, sir. Mr. President—

The PRESIDENT. I beg leave to state, as preliminary to the question of privilege, seeing the document that is in the hands of the gentleman who makes the question of privilege, that the matter came as a surprise upon me from the Reverend Deputy from Virginia, and I admitted his explanation. I do not think there is anything in that sermon—which was a sermon preached in my own parish church—which can raise a question of privilege upon this floor; and the sermon has not been distributed in this House as I am told by the gentleman who had a number of them in his possession. The House having heard this declaration from the President, can now, if they choose, listen to the statement of the question of privilege by the deputy from Massachusetts, and dispose of it as they think proper.

The Rev. Dr. ANDREWS, of Virginia. The copies have been just distributed through the pews.

The PRESIDENT. I did not understand so.

The Rev. Dr. VINTON, of Massachusetts. They came through the post office, and addressed to the delegations of each diocese, and each copy has the name of a delegate upon it. I think there is a privilege in opening the subject, that it may give the President, if he chooses, an opportunity to say whether he himself is instrumental in this circulation. But before we come to that, I take the same privilege that my brother from Virginia has done, in calling attention to a paragraph on the 13th page, in which I am personally interested. I read it:

"The elder Tyng, Vinton, and others, comprising all the weight of character in the assembly, earnestly protested against the action proposed by John Cotton Smith, the younger Tyng, and their like. But the firebrands carried the day, and then the dignified protesters signed the incendiary document." (American Churchman, 1868.)

My question of privilege is this: that here is a document spread abroad systematically to all the delegations, and to every member of this body, which conveys, so far as I am concerned, under the authority of the dignified name of our President, a falsity. The statement is untrue, and therefore I am glad of the opportunity of saying so much. I never protested against any document, which I afterward signed.

Now, sir, in regard to the general point. If with the authority that belongs to the Chair of this body, this document has been circulated, if it has had his approval in any form, (for it was printed in Louisville; it must have come here by consent, it would appear), it bears a presumption, which is not a pleasant one. The question of privilege is this: is it right, and is it to be permitted, that documents assailing—no other word than that will answer my purpose—assailing a class of Churchmen of this Protestant Episcopal Church of ours, in as creditable standing as any other members—documents assailing their character, or their doings in any form, shall be studiously circulated among this body in order to do—what? In order to do nothing conceivable, but to stir up party strife. The text,—oh, that it had been beautifully and aptly carried out!—what oil it might have spread upon the waters; here in a Convention, whose session has been marked by remarkably pacific characteristics thus far, we come up on this Monday morning, and find this pamphlet declaiming severely, in all manner of superlative language, against incendiary publications. Sir, if I were permitted to pronounce my criticism in a word, I should say that of all incendiary publications that could be put into a catalogue, I would rank this as No. 1.

Now, I wish that this Convention might pass some act by which such proceedings shall be prohibited for the future. I will not enter into a general criticism of the thing, except so far as to say that if ever there was an illustration of the *lucus a non lucendo*, if ever there was a backhanded interpretation of a text of Scripture, I know nothing that can match this as the interpretation of "beloved, let us love one another."

Now, sir, the President has an opportunity if he pleases to disclaim the authorizing of this circulation. If the President—I speak it with all deference—does not see fit to disclaim any such agency in the matter, then I do think that it is a question for every lover of peace, for every well wisher to the Church, to devise some method to be proposed and enacted here, that shall prevent such things in the future.

The PRESIDENT. I have only to state in regard to the question of privilege raised—as I have been called upon I must say, I presume—that this sermon was preached in June. I was not then an officer of this body. It was preached in reference to the character of the times; and meeting the approbation of the congregation to whom it was preached, the publication was requested, and arrangements were made for its general circulation. Of course I did not dissent from those arrangements. I had nothing personally to do with the distribution of the document in this House, or to the members of this House. The gentleman to whom the duty was confided, I suppose, considered that that would be a proper way, a legitimate way for the general distribution of the sermon. The facts, which are there stated were taken from the current publications of the day. One of them, the one referred to by the gentleman from Massachusetts, was from a communication to a paper which had been made nearly three years before, founded upon a document then before me. That document, however, I did not have when I incorporated a portion of that communication into the sermon, but I am sure that it was true then, so far as the authority of the reported proceedings of the meeting in Philadelphia could be relied upon. It was not my intention (I never have done such a thing that I know of), to place any man in a position which, he had not himself deliberately taken.

I found the matter with regard to the gentleman from Virginia, in a printed document circulated by those with whom he is in the habit of associating, and I did not see his disclaimer.

In reference to the matter which had occurred in Philadelphia, I think in 1868, all of it had passed out of my mind, except that which I embodied in a communication in the *American Churchman* at the time, which, as you will see from the sermon, was intended to be an argument against the formation of the American Church Union, and was not intended at all to reflect upon those who now make complaint. It simply gave their acknowledged action, never contradicted, as an illustration of the mischief to come from the formation of such a society as the American Church Union, and others like it.

This is all that I can think of now as proper for me to say. The very words which I used showed the highest respect for the gentleman who makes the complaint; a respect which I have always felt and always expressed, from the time of my first acquaintance with that distinguished gentleman; and it is amazing to me that he should be the party now to complain of that reference to his honored name.

The Rev. Dr. VINTON, of Massachusetts. Sir, it is necessary to the truth of history, so far as I am

an unworthy agent in producing history, that I should make this body at least, understand that that specific statement touching my action in the matter is false. I say that, and I wish gentlemen would understand it.

Our President does not take the ground of a late aspirant for office in Massachusetts. When General Butler went around stumping the State, he brought up all the charges and allegations or statements that were made, and he said, "I got them from the newspapers, and of course they are false." Our President infers otherwise, rather like the child who says, "I saw it in the newspapers, and it must be true." Does he suppose that every person reads all the newspapers? Does he suppose that a person with any self-respect would take pains to write to the *American Churchman*, or any other paper, to correct a mis-statement like that? It makes no difference to the world at large when such a statement is made in the newspapers; it goes for what it is worth; but when it comes here with the *imprimatur* of our President, and that statement is made, I feel called upon as an individual simply to say to the Convention, "Gentlemen, that statement is not correct."

Having said that, so far as I am personally concerned, I am quit. I only say that it is a misrepresentation, so far as I am concerned, of almost my whole status and bearing, and on that account I am a little impatient of the association.

Be that as it may, sir, I do think it is a grave question for this body to determine, by a rule that shall guide them in all time, whether pamphlets having any such tendency as this shall be circulated, addressed as it were officially, semi-officially at least, to the members of this body as members of this body, the direct and only effect of which must be to create ill-feeling. We pray for the unity of the Church; we pray every day against ignorance, pride, and prejudice. How can that prayer be accepted and answered when, upon the very heels of it, such practical measures as this are taken to foment party strife? I submit it to the Convention, as a Christian brother, altogether now in a mood of feeling separate from my personality in the matter. It seems to me that if I were an outsider, if I were elevated to a standard far above these terrene associations, I should say such a thing ought to be prohibited by all means, and that this body, the representative of the Church, should put its heel up on every such attempt, in the name of God and of peace.

The Rev. Dr. ADAMS, of Wisconsin. The Rev. Dr. Vinton has just expressed the opinion that this matter should be put on the ground of principle, not on the ground of any personality whatsoever; and it is upon that doctrine that I offer the following resolution:

Resolved, That this House will not limit the liberty of debate in any of its members, or the liberty of instruction, by, even in the slightest degree, censuring, or putting themselves in the position of seeming to censure, any printed matter that is put before the eyes of members of this House, by any member in good standing.

Mr. WITHERS, of Virginia. I move to refer that resolution, as it conflicts with a rule now in existence, to the Committee on Rules.

The Rev. Dr. HAIGHT, of New York. I move to lay the whole matter now before the House, the resolution of the gentleman from Wisconsin, and the question of privilege, on the table.

The PRESIDENT. That motion takes precedence. The motion to lay on the table was agreed to.

Several deputies called for the regular order of business, being reports of committees.

The Rev. Dr. Hanckel, of Virginia, obtained the floor, with the purpose of making a report.

Mr. JENKINS, of Georgia. I rise to ask a little information from the Chair. Is it competent to move a reconsideration of any matter that has been passed upon by the House, immediately upon having passed on it? In other words, would I be in order in moving a reconsideration of the vote to lay on the table a certain matter which has just passed?

Mr. SEYMOUR, of Connecticut. It would not be the subject of debate.

The PRESIDENT. I will take that into consideration, but Mr. Hanckel now has the floor to make a report from a committee.

Mr. JENKINS, of Georgia. I did not know that the floor was occupied by any gentleman. I shall, however, when that matter is disposed of, ask permission to repeat my question to the Chair.

DIocese OF ARKANSAS.

The Rev. Mr. Hanckel, of Virginia, from the Committee on New Dioceses, submitted the following report:

The Committee on New Dioceses beg leave to report that they have examined the papers connected with the application of the Diocese of Arkansas, for admission into Canonical union with the General Convention of the Protestant Episcopal Church in the United States of America, and find them to be in all respects in conformity with the Constitution and Canons of the same. They, therefore, offer the following resolution for adoption by this House:

Resolved (the House of Bishops concurring), That the diocese of Arkansas be, and is hereby, admitted into full Canonical union with the General Convention of the Protestant Episcopal Church in the United States of America.

The resolution was adopted.

ORDER OF BUSINESS.

Mr. JENKINS, of Georgia. If it be in order to make such a motion at this time, I move to reconsider the action of the House on the motion to lay on the table.

The Rev. Dr. MEAD, of Connecticut. I suggest that the order of business prescribed by the rules ought to be gone through with, before any new matter can be taken up. If the gentleman, when the proper time comes, or, if he chooses, now, will move that the rules of order be suspended for the purpose of offering a resolution, the House can act upon that motion; but without the suspension of the rules of order, no such motion can be made now.

Mr. JENKINS, of Georgia. Is there any particular time when it is in order, according to the rules of order, to move a reconsideration?

The PRESIDENT. Motions and resolutions will be in order, after the calling of the committees for reports. I do not suppose that without a suspension of the rules of order, we can now receive motions or resolutions. The question of privilege has been passed upon. It can hardly be raised again.

The Rev. Dr. HAIGHT, of New York. I hope we shall go on with the order of business.

The PRESIDENT proceeded to call the remaining committees for reports, and none being ready, the presentation of petitions and memorials was announced to be the next business in order.

MINORITY REPRESENTATION.

The Rev. Dr. GOODWIN, of Pennsylvania. I submit the following:

WHEREAS, this resolution, viz.: "*Resolved*, That the subject of minority representation be submitted to the General Convention for consideration," stands recorded in the journal of the Convention of the Diocese of Pennsylvania, held in May last, therefore,

Resolved, That it be referred to the Committee on Canons to inquire into the expediency of introducing such changes into the Constitution and Canons of this Church, as may provide for the representation of minorities.

If you will allow me one word, Mr. President, I will say that this subject was referred to a Committee by the preceding Convention of the Diocese of Pennsylvania, to sit during the recess. They reported resolutions favorable to a plan of minority representation, and the report was signed among others by Drs. Hare and Howe; but the Convention postponed the consideration of the subject, and thereupon passed this resolution that the matter might come up for consideration in the General Convention first. My own opinion is that the Convention of the Diocese of Pennsylvania would not be ready to adopt any such plan; and whether it should be or not, I should myself be opposed to it.

I make these explanations in bringing this resolution forward, lest any of my excellent good friends in this House should be deterred by any considerations of personal regard, or extravagance of Christian and gentlemanly courtesy, from opposing and defeating anything of this sort, from fear that they might be striking some pet project of mine. It is simply as a duty in representing the Diocese of Pennsylvania that it is offered, without any opinion on it.

The Rev. Dr. MEAD, of Connecticut. I second the motion to refer the matter to the Committee on Canons.

The motion was agreed to.

SYSTEM OF "EVANGELISTS."

The Rev. Mr. MORGAN, of Iowa, presented a memorial, signed by presbyters and laymen of the Western Convocation of the Diocese of Iowa, in favor of the employment of Evangelists in the Missionary Work of the Church, suggesting the provision of means "by which we may have secured to us the labors of godly, faithful men, loyal to Christ and His Church, who shall be devoted to the work of evangelization in this field, going from city to city after the Apostolic mode, to preach the Gospel and plant the Church."

The memorial having been read—

The Rev. Mr. MORGAN, of Iowa. Mr. Chairman, in making the motion which I propose to make, in behalf of the gentlemen who have requested me to stand here, I will say that the presentation of the claims of the particular locality which have moved them to send up this memorial, I am sure grows out of no desire to give prominence to that special locality, but rather to enforce, as I conceive myself, in a very logical and effective way, the importance of the measure for which they pray. I am sure this body, as well as yourself, sir, cannot be unmindful of the fact that the ground imbedded in this memorial has been agitating the attention of the Church for several years past in this land. In 1856 there came to us

a report from commissioners appointed by the House of Bishops, who said that a body of Evangelists seemed to them almost indispensable to the effective organization of the Church according to the Apostolic model, and they expressed their belief that it was exceedingly important for the Church in this land. The subject has been agitated since at several of our conventions, as you are aware. It has enlisted the interest and sympathy of the best men of the Church, men of no particular type of Churchmanship, but men almost invariably of a large and comprehensive mind, men of earnest heart.

I feel that it is most becoming on the part of those who are particularly interested in the question before us, that some facts should be stated. I want to say, first, that there has been in the mind of the Protestant Episcopal Church for some years past, a growing and deep conviction that this kind of instrumentality ought by all means to be used in the Church. It is, as represented by these brethren (and I sincerely sympathize with them in this belief), a matter of astonishment that this body which is so thoroughly Apostolic in its general features, should have been, perhaps, the only body, in this land that has failed to appreciate the use of this kind of instrumentality.

I have said already, that for some years past we have been finding men of broad sympathies, men who were large-hearted and true to Christ and the Church, who have been very much moved upon this matter. There are gentlemen here to-day who can bear me witness, that memorials have been presented to the General Convention for some years past, bearing the best names, or names as good as the best that can be found on this continent, praying the General Convention to do something by which the Church might avail herself of this mighty power, where it was desired. Almost entirely giving up the idea that this could be made an instrument which could be made acceptable to the Church at large, and that, if the work should be accomplished, it must be accomplished only by organizing a voluntary society, a voluntary society was organized. The distinguished Bishop of Central New York to-day stands nominally the President of the Episcopal Evangelization Society. This Society has collected several hundred dollars; it has had several preachers in the field, devoted to this work, in not less than four or six dioceses; and yet the work has been stayed, it is lacking that *prestige*, that general acceptance, which we feel sure it would receive if it could have the sanction of the Church as a body; and when we look around us and see how the Roman Catholic Church on the one hand, and every Protestant body in the land on the other, are using this very instrumentality with most marvellous effect, in the very field that we ought to-day to occupy, and especially in the field from which comes this memorial, where we are utterly bound hand and foot, and can do nothing, comparatively, toward meeting the real demand of that field, it becomes a matter of astonishment that the Church could have slept so long as she has upon this question; and I do not hesitate to say, before this distinguished body, that I doubt not the time will come when the Protestant Episcopal Church of

these United States will awake to the subject, and will be surprised beyond measure that it should have let a power so potent as this, rest in abeyance so long.

I also wish to say, that the petitioners whose names are appended to this memorial are among the most distinguished men, and veterans, some of them, of the Church, we have in the West. There is on that memorial, the names of men who are distinguished in the State to-day,—distinguished, one of them as a Congressman,—the best laborers in the missionary field. I doubt not they are hearty and earnest in their request, and I am of the opinion, and might as well take this occasion to say so, that the question will arise with this body, supposing we are of one mind so far as believing that it is exceedingly desirable, what can we do?

My dear brethren, I want to suggest to you this morning that we are constantly praying, and our churches at home are praying, and our families are praying, and godly people throughout the length and breadth of this continent are praying, that God will so preside over and bless the deliberations of this Convention, that the glorious Gospel of Christ may be truly preached, and truly received everywhere, to the breaking down of the kingdom of sin, Satan, and death. The measure proposed or asked for by these memorialists is only that the Gospel may be preached. You may say, perhaps, "The Gospel is already preached; what do we need more." But there comes from the testimonies borne us from distinguished Bishops, from distinguished presbyters, all along on our Atlantic coasts and from our pioneer Bishops in the West, with hardly a single exception, an expression from time to time that we have not sufficient; that something ought to be done.

Now, my dear brethren, I beg to suggest that in this representative body, on this American soil, in this nineteenth century, it will be a strange thing if a large company of men have the deep and thorough conviction in their minds that something ought to be done, and they desire to have something done, and then find that they cannot do it. The genius of this age, which can tunnel mountains, can span the world with its telegraph wires, and gridiron our continent with railroads—the men of this age cannot be hindered in their great and noble and worthy enterprise, if the people standing back shall say, "It shall go forward;" and being assured that it is a measure especially having the approval of Almighty God and Jesus Christ, the Head and Bishop of the Church, it can be done.

Some of you may say, "We have the General Board of Missions, let them attend to this matter." They have been appealed to, and they say they cannot attend to it. You may say, "We have the General Board and the Domestic Board, and if it does not come within the province of their operations, it cannot come within the province of anything we can do." I beg to suggest, brethren, that when it was found after the war that there were three or four millions of colored people in this country, it

did not suffice us to be told that we had our Domestic Committee, and that they might attend to the freedmen of the South. This body felt it incumbent on them to make a special work of this matter, to appoint a special commission, and made it a sort of addendum to the existing missionary provision. Now, I have no doubt this body can, if it will, lift up its voice so as to be heard, and with its wisdom can devise means by which we can do, as the Roman Catholics on the one hand, and the Protestant bodies on the other hand, do—send out men peculiarly qualified and educated, if you please, for this special work, who, for example, in the region from which I come, can in a most legitimate way in three years time cause our whole region to be aglow with Church life, and many a town and hamlet to hear the blessed sound of the Gospel of the Saviour, that will not otherwise hear it.

I want to suggest, also, that I may divest the subject itself, and these brethren, and everybody else who may perhaps think of this matter, of any unbecoming motives. While I, as an individual, believe most thoroughly in the course of things that this Church in her general legislation seems now disposed to take with reference to the Episcopate, we feel, particularly in the region from which I have the pleasure and honor of coming, that it is not the increase of Episcopal administration that we so much need, as it is this one thing for which we are constantly praying, that the glorious Gospel may be preached, that it may be preached by presbyters and by deacons, if not by laymen, as well as by Bishops. Will you help us to multiply them, dear brethren, and to send them out, subordinated to the Church, under the direction of the Bishop, as his right hand of power, if you please—men earnest, filled with the spirit of the Gospel, true to the Church, men of strength, who shall go from city to city, as Eusebius says the Apostles and their coadjutors did go at the beginning, as we know the Fathers went into Germany, as we know they went into Great Britain, as we know, I was going to say they, but I may say, I suppose that a single man, Patrick, St. Patrick, as he is called, went into Ireland, as Augustin went into England, as Otho, if I mistake not, went into Pomerania, and so the Scripture recorded in the eleventh chapter of St. Paul's Epistle to the Hebrews, is fulfilled, "By faith they subdued kingdoms." Why not send out men of strength and might, with the Church's blessing and prayers going with them, to do this very work in the region from which I have the honor of coming, and indeed all over our land?

I move, Mr. President, that the memorial from the Western Convocation of Iowa be referred to the Committee on Canons.

The Rev. Dr. MEAD, of Connecticut. Permit me to suggest that it ought to go to the Committee on the Prayer Book, and I will give my reason. It is either intended to increase the ministry in Orders, or add another Order to the ministry. I say the committee appropriate to the Prayer Book, should have that before them.

The Rev. Mr. MORGAN, of Iowa. There is no intention to increase the orders.

The Rev. Dr. MEAD, of Connecticut. Then it is to increase the ministry, and I should think it more appropriate that the Committee on the Prayer Book—a very wise committee, from its constitution—should have that under consideration.

I fully agree with what my brother has said, that we want more life, more energy; but I also must say that we have the means of operating, which are not fully applied. We want no better evangelists for this purpose than the Bishops themselves are authorized to control and send forth, provided they have the means of sustaining them. Every deacon—and deacons can be multiplied interminably under the canon as it now stands—every deacon is subject to his Bishop, and is authorized by his Bishop to preach the Gospel, and he must go where his Bishop tells him to go, and, like St. Philip the Evangelist, they are the proper ones (under the existing arrangements of the Church, and as the Apostolic arrangement was), whom the Bishops are to send out as Evangelists.

The remarks of my Rev. brother have been rather to urge an increase of the ministry than anything else, and I move now that this memorial be referred to the Committee on the Prayer Book.

Mr. RUGGLES, of New York. I rise to propose an amendment to that. I am entirely in favor of this object; it is a high and noble effort; and I am the more in favor of it because it seems to impose some higher duties on the laity of this Church than they have heretofore exercised. It meets my cordial approbation; I wish it success; but I wish to qualify its success by giving it the proper reference in the first instance. I would therefore move its reference in the first instance to the Board of Missions, to pass upon it, to ascertain how far it will interfere with their action or impair their efficiency; and, if you please, with instructions to consider how far they can add a fourth board to their own body, and that this board shall form an integral part of that body, and so be prevented from interfering with its legitimate action and operation. We ought at any rate, in the first place, to have their examination and opinion, and then refer it to the Committee on the State of the Church, or any other committee you please, which will define more accurately the duties of the laity. I have discovered recently through the instruction of one of my beloved clerical friends, that the laity of the Church form a part of the priesthood of the Church, which was news to me; but if we are part of the priests of the Church, I hope our duties will be pretty distinctly defined. In the first instance, however, I hope this may go to the Board of Missions, that they may express their opinion how far it will embarrass them, and then let it be referred to such committee as will tell us laity in what way we are to preach the Gospel.

The Rev. Dr. MEAD, of Connecticut. I suggest that the Board of Missions are not part of this Convention, and we cannot refer anything to them.

Mr. RUGGLES, of New York. Can we not invite them to express their opinion?

The Rev. Dr. SPALDING, of Wisconsin. I move the reference of that memorial to the Committee on the State of the Church, because that committee is appointed for the very purpose of deciding, and considering the necessities of the Church.

The Rev. Dr. MEAD, of Connecticut. I accept that.

Mr. RUGGLES, of New York. May I add to that, "and that that committee confer with the Board of Missions on the subject?"

The PRESIDENT. I think that committee had better be left to its own discretion. The gentleman from Connecticut accepts the modification of his motion, to refer the memorial to the Committee on the State of the Church.

The Rev. Dr. BURR, of Ohio. I rise to second that motion, for this reason: that committee is composed of a member from every diocese in the Church, from the West especially, and the Southwest. The dioceses in the West, and Southwest, and Northwest, who are most interested in the subject will be there represented; and when they have considered the matter, if it requires legislation, I suppose of necessity it will go to the Committee on Canons to devise rules and regulations; but for the present, I hope it will go to the Committee on the State of the Church.

The Rev. Mr. MORGAN, of Iowa. I withdraw my motion and accept the motion to refer to the Committee on the State of the Church.

The Rev. Mr. SPAULDING, of Pittsburgh. This matter, I conceive, is one of very great importance, and I think none of the general standing committees will be able to give it the attention that it deserves. I would move as a substitute for the motion before the House, that it be referred to a special committee, to report as soon as practicable to this Convention.

The PRESIDENT. It is moved and seconded to refer the memorial from a portion of the Diocese of Iowa to the Committee on the State of the Church.

The motion was agreed to.

The Rev. Mr. SPAULDING, of Pittsburgh. That was not the motion. My motion was to refer to a special committee.

The PRESIDENT. I know, and I asked if it was seconded, and heard no response, and therefore put the other question on the other motion.

Several DEPUTIES. It was seconded.

The Rev. Dr. HAIGHT, of New York. We cannot go back on the order. The vote was announced.

FIRE IN CHICAGO—PRAYERS FOR THE SUFFERERS.

The Rev. Dr. ADAMS, of Wisconsin. Mr. President, I rise to ask of this House that we go to prayers for the great city of Chicago, now suffering under the calamity of fire. We saw in this morning's papers an account of the commencement of the fire, and it was enough to terrify us all.

I have no apology to make for proposing this resolution, for I believe in the efficacy of prayer. I believe that this Church has a national interest in the whole country, and that your prayers should go up to Almighty God for the third city in the country suffering under this terrible infliction. I have here the last telegram which has been received, which I will read to the Convention:

"CHICAGO, Oct. 9, 10 o'clock A.M.

"Sherman House, Chamber of Commerce, Court House, Western Union Telegraph building, and all that part of the city, covering thirty blocks, all banks, express and telegraph offices, water works, six elevators, not less than ten thousand buildings burned. Fire still raging. Wind blowing a gale."

The Rev. Dr. BERKLEY, of Missouri. I understand they have telegraphed to St. Louis for the St. Louis fire department, and for provisions to be sent to aid the necessitous.

The Rev. Dr. ADAMS, of Wisconsin. They telegraphed also to Milwaukee last night.

I offer the following resolution:

Resolved, That this Convention stay their business for a short period immediately, during which our President, or other members appointed by him, may offer up the prayers of this House in behalf of the great city of Chicago, now suffering under the calamity of fire, and its inhabitants, who are houseless and homeless, under the visitation of the great God.

The Rev. Mr. GILLESPIE, of Michigan. I move to amend, by the addition that a period be allowed for silent prayer, after special prayers shall have been offered up.

The PRESIDENT. I presume provision will be made for that when the arrangements are made. If it is desired, however, I will put that motion.

The Rev. Mr. GILLESPIE, of Michigan. No, sir, I do not press it.

The resolution was unanimously adopted.

The PRESIDENT. I appoint, under the resolution, the oldest member of the House—Dr. Mead, of Connecticut—and another venerable member of the House from the same diocese—Dr. Beardsley—to conduct the worship of the House during the recess which must be taken for that purpose.

The Rev. Dr. MEAD, of Connecticut. I beg to be excused. I am far from being well. I hope you will appoint some other person.

The PRESIDENT. Then, I will appoint Dr. Andrews, of Virginia.

The Rev. Dr. MEAD, of Connecticut. I ask for a recess of ten minutes, in order to enable these gentlemen to prepare for this service. It takes us by surprise, as you are aware.

The Rev. Dr. HAIGHT, of New York. I think we had better not take a recess, but allow the gentlemen ten minutes to prepare. We had better remain quietly in our seats.

The PRESIDENT. That would be better.

The Rev. Dr. MEAD, of Connecticut. I withdraw the motion.

The Rev. Mr. EGAR, of Pittsburgh. May I

read, in this connection, a sentence from a letter which I received this morning, from Beloit, Wis., dated last Thursday?

"Beloit is all dried up, and we hear of fires constantly. Indeed, the whole Northwest seems to be in a state of conflagration."

There are other fires raging besides the fires in Chicago, and I hope gentlemen in their devotions will bear that in mind.

Mr. WORTHINGTON, of Wisconsin. I beg leave to add a few lines received from Northern Wisconsin by one of my colleagues, which will indicate the proper subject of prayer:

"Fires are burning in the woods and marshes through five counties. There has been a great loss of property. The town is so filled with smoke that it has come into the houses, and the scholars in the schools are unable to study."

The Rev. Dr. BEARDSLEY, of Connecticut. The committee have agreed to recommend that we use the Litany first, and then offer silent prayer for five minutes.

The House having taken a recess, the services were conducted by the Rev. Dr. Beardsley, of Connecticut, and the Rev. Dr. Andrews, of Virginia. The Litany was recited, after which five minutes were spent in silent prayer.

The House resumed its session.

RITUAL UNIFORMITY.

A message (No. 11) was received from the House of Bishops, announcing that that House had passed the following resolution:

Resolved, That the House of Bishops desires to inform the House of Clerical and Lay Deputies that the proposed resolutions appended to the report upon upon the subject of ritual were postponed by the House of Bishops for the purpose of passing the resolutions communicated in message No. 5, relating to the report made to this House on the subject of ritual uniformity, together with the following resolution, to wit:

"*Resolved*, That the committee on the part of this House consist of five members, chosen by ballot.

BOARD OF MISSIONS.

Mr. McWHORTER, of Central New York. I offer the following resolution:

Resolved, That this House proceed to ballot at twelve o'clock meridian on Wednesday next, October 11th, for a committee to act with the committee of the House of Bishops, to nominate a Board of Missions.

I will simply remark to the Convention that the House of Bishops is prepared to name its committee; and as the matter of the revision of the Board takes a very long time, it is desirable that this committee should be elected as soon as possible. It is, therefore, the hope expressed to me by one of the Bishops that we should have our committee elected as early as possible. Hence I offer the resolution at this time.

The resolution was agreed to.

DIOCESE OF CALIFORNIA.

The Rev. Dr. Lyman, of California, presented the memorial of the Diocesan Convention of the Diocese of California, praying that that diocese be authorized to define its area as embracing certain counties named, being the middle portion of the State, the residue of the diocese to be remanded to the missionary jurisdiction of the General Church.

The memorial having having been read—

The Rev. Dr. LYMAN, of California. I move the reference of this memorial to the Committee on Canons. I should have moved the reference to another committee, but a memorial of a somewhat similar purport, from the Diocese of Texas, was referred at a very late hour the other day to that committee. It does not strike me that that is the proper reference; but inasmuch as the other memorial of somewhat the same purport has been referred to that committee, I thought of proposing that this should be referred to the same committee, unless the members of the House should judge another committee to be more suitable.

The motion was agreed to; and the memorial was referred to the Committee on Canons.

ALIENATION OF CHURCH BUILDINGS.

The Rev. Dr. PADDOCK, of Long Island. I desire to lay before the House a matter which I simply propose, if it be the will of the House, to have referred to the Committee on Canons. I will read the resolution which I have written, and then in one single word state the ground on which I suppose good may possibly come from the action of this House on the matter.

Resolved, That it be referred to the Committee on Canons to inquire and report whether, by alteration in the Canon "of the Consecration of Churches," or by the recommendation on the part of this House, and the House of Bishops, of some express condition in the form of subscriptions or donations for the building of churches, or by any other method, the alienation of church buildings erected out of funds avowedly gotten and intentionally given for the furtherance of public worship agreeably to the doctrine, discipline, and worship of the Protestant Episcopal Church, to parties, congregations, or corporate bodies not in accordance therewith, may not be rendered legally impossible, except on the conditions specified in Section 3, Canon 21, of Title I.

There are two points simply to which I desire to call attention in submitting this proposition for reference. The one is that I believe it is shown by Judge Hoffman, that in the State of New York, in the State of Massachusetts, and in the State of Vermont, decisions have already been rendered by very high courts, and I think in one case, at least, by United States courts, to state his very language in one case which may serve for all, "that parties otherwise qualified do not lose their right as corporators to vote at elections"—speaking of parish meetings—"by reason of their having individually or collectively renounced the doctrine or ecclesiastical government professed and recognized by the religious body in whose worship and service the

corporate property has been employed. It is also stated in another place, and I suppose is sound law, that "vestrymen, being only regarded in the law as trustees, are bound by the will of the corporators, and that, therefore, when the corporators by a majority change their faith, the vestrymen as trustees are bound to act accordingly."

Another decision, looking precisely the same way, is that "it may be considered as settled in our State that if property is given to a church or congregation incorporated under our general statutes by words vesting the title in it, and not plainly uniting the right to hold it with the faith, doctrine, or order of any particular denomination or body, a change in the religious tenets or Church discipline held at the time of acquisition, will not deprive the corporation of that property."

So much, then, for the fact that it perhaps is settled, or, if not, is at least a mooted point, that a change of faith or discipline on the part of those holding property, whether corporators, or trustees, or vestrymen, may enable them to get the property away which was designed for the service and discipline of our Church.

Now, there is a possible method of preventing this, and the object is to ask the Committee on Canons, which contains, as you very well know, sir, some legal members of great ability, whether some provision may not be made in order to take advantage of this principle of law. Judge Hoffman, speaking of another decision rendered, as I understand, by the United States Courts, cites it thus: "The learned judge says, 'I by no means deny that the grantor of property to the trustees of a religious corporation, may annex such conditions to the grant as he may choose, not inconsistent with law, and that the trustees may take the property subject to the conditions. For instance, property may be conveyed to them,'—and this is the point I desire the House to note—"property may be conveyed to them, (the trustees or vestry to be held so long as the society continues in a certain ecclesiastical connection, or so long as it supports a minister of a certain faith; and this condition, if explicit and clear, would be good.'" He afterward says, when that condition was departed from, the title of the corporators would be forfeited. So that it seems there is a possible way, in the form of subscription or otherwise, of so arranging this tenure of property, that it never can arise again that a corporation changing its faith, shall demand the right to hold also the Church built by the money of devout people, for the worship of God as set forth by this Church.

I move that the resolution I have offered be referred to the Committee on Canons.

The motion was agreed to.

MARRIAGE OF DIVORCED PERSONS.

The Rev. Dr. SCHUYLER, of Missouri. I present a resolution for reference to the Committee on Canons:

Resolved, That it be referred to the Committee on Canons to inquire and report whether it is not right and expedient so to alter Canon 13, Title I, as not only to forbid the minister from solemnizing matrimony in any case where there is a divorced wife or husband of either party still living, but

also to include in the prohibition, the lay members of the Church; and further, so to construct the Canon, that it may be apparent whether it is necessary that the fact of adultery should be made to appear in the proceedings of the civil court, before it can be received as a fact by the clergyman called upon to perform the marriage.

The resolution was agreed to.

MISSIONARY BISHOPS.

The Rev. Dr. SCHENCK, of Long Island. I propose the following resolution:

Resolved, That the Committee on Canons be instructed to report such amendment to article 10 of the Constitution, as shall make it consistent with sub-section 2, section 8, Canon 13, Title I., of the Digest. And that it be submitted to this committee to inquire whether further legislation be necessary touching the franchises of Missionary Bishops.

I will explain what I mean by the resolution, without entering into any argument on the subject. Article 10 of the Constitution, reads in this wise:

"Bishops for foreign countries, on due application therefrom, may be consecrated," etc.

* * * * *

"Such Bishops, so consecrated, shall not be eligible to the office of Diocesan, or Assistant Bishop, in any Diocese in the United States, nor shall be entitled to a seat in the House of Bishops, nor exercise any Episcopal authority in said States."

The Canon to which I have referred, reads as follows:

"Any Bishop elected and consecrated under this section, or any foreign Missionary Bishop heretofore consecrated to exercise Episcopal functions in any place or country which may have been thus designated, shall have no jurisdiction, except in the place or country for which he has been elected and consecrated. He shall be entitled to a seat in the House of Bishops, but shall not become a Diocesan Bishop in any organized diocese within the United States, unless with the consent of three fourths of all the Bishops entitled to seats in the House of Bishops, and also of three fourths of the Clerical and Lay deputies present at the session of the General Convention, or, in the recess of the General Convention, with the consent of the Standing Committees of three fourths of the Dioceses."

The article stipulates that he shall not have a seat in the House of Bishops, but the Canon provides that he shall have a seat in the House of Bishops, and furthermore, that, under certain circumstances, he may officiate. There is a discrepancy which, I suppose, ought to be corrected. It is not the fact, as has been claimed in some instances, that Bishops are consecrated under the Canon and under the article, as will be found by reference to the Journal of 1844, where it will be seen that the article was first adopted before the Canon, the Canon not being adopted until the 18th day of the session.

I move the reference of that matter to the Committee on Canons, as the resolution itself suggests; and, furthermore, I ask them to inquire whether any further consideration be requisite touching the franchises of Missionary Bishops. I never have been able to see the reason why a man who is

elected to the office of a Foreign Missionary Bishop, and who spends his life in the work in a foreign field, may not become eligible to the Bishopric of a diocese, why he may not be transferred from the one to the other, while a Bishop who exercises his jurisdiction over a missionary field in the far West, in his own country, is allowed that privilege. We have just had before us the instance of the Bishop of Lichfield, who, after his long Missionary Episcopate in the foreign field, has himself been called to fill the See of Lichfield, at home. We have instances in our own country of the same thing; and it seems to me that there can be no reason in the world why one who engages in and discharges faithfully the office of a Missionary Bishop in a foreign field, may not, under certain providential circumstances, be permitted to fill the office of Bishop over a jurisdiction at home.

The Rev. Dr. HAIGHT, of New York. I will merely say that I have no objection to this reference being made, but I have not the slightest idea that the article of the Constitution and the Canon refer to the same thing. They have no connection whatever with each other, not the slightest; and that, I think, will be proved to the satisfaction even of my friend who has offered the resolution, when the report comes in. While I have no objection to the reference, I merely wish to say to the House, that in my judgment, and in the judgment of some others, better qualified than myself to give an opinion, the article and the Canon have not the slightest connection with each other.

The Rev. Dr. SCHENCK, of Long Island. I will only say, in justice to myself in introducing this resolution, particularly under such an imputation from so high an authority, that I will not discuss this question with him now; but after the reference to the Committee on Canons, and after the report (which, of course, will be an adverse one to this House, to which we are becoming quite accustomed, however, from the Committee on Canons), I shall be entirely prepared to meet the gentleman on that ground, that it is not a matter merely of cursory examination, but I am prepared to show that I am backed also by the opinions of very able canonists on the subject.

The Rev. Dr. HAIGHT, of New York. I shall have great pleasure in meeting my friend on that ground.

The resolution was referred to the Committee on Canons.

APPELLATE COURT.

The Rev. Dr. SCHENCK, of Long Island. I submit the following resolution:

Resolved, That the Committee on Canons submit to this House, at the earliest possible day, a plan for the organization of a court, having original jurisdiction in all matters of differences between dioceses, and appellate jurisdiction in cases tried before diocesan courts.

This is by no means a new question for this House to consider. You will find that as far back as 1853, the subject was brought, by a very distinguished canonist, to the attention of this House. You will find in the appendix to the Journal of that session, a plan for the organization of a court

of this kind, proposed by the Hon. Murray Hoffman. This a subject to which this House must give its attention.

In the multiplicity of dioceses, questions are constantly arising, and there is no possible method of settlement, except by the creation of some such court as that to which I now refer. Not only so, but in the matter of the trial of presbyters, I have to submit that the privileges which are awarded to the meanest criminal in the adjudication of criminal cases under our civil courts, are not awarded to a presbyter of this Church, or a deacon, when he comes to be tried for that which is dearer to him than his life,—his reputation. He has no right of appeal. There is in the present administration of what we may call penal justice in the Church, no right of appeal, and the court that tries him is a court that arrogates to itself infallibility. The decision is final. There the matter must rest. Nay, he has not even the ordinary privilege of a change of venue. He cannot carry his case out of the atmosphere which is charged with the elements of excitement and prejudice. He cannot go from one diocese to another, away from the surroundings of party feeling, and away from those circumstances which might prejudice his case. The courts which try him, are courts which are created year after year, in the Diocesan Conventions. There is not even the same freedom of challenge which is allowed in the trial of criminals. I do not know to-day any man that has as little opportunity, in the face of passion or prejudice, to have his rights vindicated as a presbyter of our Church, and I think we have come to the time when we must fairly consider this question. It has, upon various pretences, been postponed from General Convention to General Convention; but I think now that the two aspects of this question which I present, the matters of differences between dioceses and the matter of the trial of presbyters, do present to us a double question which can be settled by the organization of a court such as that which I have described in my resolution.

Mr. RUGGLES, of New York. Mr. President—

The Rev. Dr. MEAD, of Connecticut. I move its reference to the Committee on Canons. It is out of time to make any remarks on the subject.

Mr. RUGGLES, of New York. But a single remark. I wish to correct a single mis-statement. My learned friend from Long Island, states that it is time to act on this subject in this body, as if no action had ever taken place. He must be aware that in the year 1859, in the Convention at Richmond, most distinctive action was taken on this very question, after an elaborate debate, when the proposition most carefully prepared by Judge Hoffman, having passed this body without much remark in 1856, was again brought up and proposed, and, after a more careful examination of the whole subject and much debate, and with some excitement, it was voted down by 29 dioceses to two.

Mr. COMSTOCK, of Central New York. I rise to second the resolution of the deputy from Long Island. As I understand it, it is a resolution of instructions to report a Canon. It is my opinion that a great want of the Church is a better system of judicature,—an improved jurisprudence. In all the systems of municipal jurisprudence with which

I am acquainted, or of which I have read, the right to at least one appeal from a trial and a sentence, is decreed sacred. It prevails in all the civilized countries of the world. It is denied only in the American Church. I hope the resolution will prevail; I do not intend to debate the merits of it now, and that the committee will report. If the subject has been ignored once, as said by the deputy from New York, I entertain the hope that it will not be again.

Mr. JUDD, of Illinois. I, for one, am in favor of the proposition of the learned deputy from Long Island; but, at the same time, I desire to protest against one statement which has been made by the learned deputy, probably by mistake; that is to say, that in no case can there be an appeal asked. At least I wish to say on behalf of the Diocese of Illinois, that we have provision for an appeal, and some little experience on this subject has lately transpired there,—not only the right of appeal, but an appellate court composed of numbers of the ablest and wisest of our clergymen.

Mr. SHEFFEY, of Virginia. The House, probably, is not aware of the form in which the resolution stands. If endorsed by the House in its present form, it is a determination by this body that such a tribunal shall be established. I presume the House would not now undertake to settle that question, until the expediency of so doing had been reported upon by some Committee of the House. I, therefore, move to amend the resolution by striking out the words "be instructed to submit," and inserting, "inquire into the expediency of submitting," so as to make it a resolution of inquiry. If the committee are of opinion that such a tribunal should not be established, then would be the time for this House to give them positive instructions to report a plan. I do not think that in this preliminary form of proceeding, the determination should be reached without the opportunity of careful consideration, and careful debate.

The Rev. Dr. VINTON, of Massachusetts. I second that motion.

The Rev. Dr. SCHENCK, of Long Island. The wording of the resolution was prepared very cautiously. It was my intention to have this House take such action when the resolution was sent to the Committee on Canons, as to secure the consideration of this subject. I did not propose to take this matter out of the consideration of this body, and give it to the Committee on Canons for them to come and report to us that it was inexpedient to consider this question. I think this body is the body to consider, whether it is expedient or inexpedient.

The PRESIDENT. Will the gentleman allow me to suggest to him that this whole matter involves a constitutional question as well as one of expediency, and that, therefore, it would be almost essential to modify the resolution as proposed by the gentleman from Virginia? I happen to know something about the past history of this matter.

The Rev. Dr. SCHENCK, of Long Island. I beg to submit to the Chair that I would not have brought up this subject without being a little familiar with the past history of it, and the matter

which was submitted with so much emphasis by the learned deputy from New York, was not at all a novelty to me. Because the thing has been voted down in this House once, is no reason why it should not be brought up again. I appeal from the decision of that convention to the fresh consideration of this, and I choose in this matter to exercise the right of appeal, even before the Appellate Court is organized. I do not wish to have the language of this resolution altered. I think if the House will consider it, it will find that it is only instructing the Committee on Canons to report to us some plan for our deliberation. We do not ask the Committee on Canons to tell us whether we ought, or ought not, to have a court. We only want the opportunity of considering this question in the open discussions of this body, and we wish the learned gentlemen who are upon the Committee on Canons to present some plan which shall guide us in our deliberations. That is the object which I had in view when I used the specific words in which the resolution was couched.

The Rev. Dr. MEAD, of Connecticut. Then I would respectfully submit to my reverend brother from Long Island, that I think the proper way would be to present the naked question to this House for their consideration, and, after it has been considered, acted upon and adopted, if they see fit to accord to the gentleman the principles of the resolution, then refer it to the Committee on Canons, with instructions to put it into shape and form, and return it back to the House for their decision, whether there shall be final action. Now, sir, the resolution comes with instructions, and under those instructions, the Committee on Canons are bound to report a plan. They may deem it unconstitutional; they may deem it unwise; I do not pretend to say what they will do; but if we are to be instructed, you must first decide the that instruction from this House, when the House question of instruction here. We ought not to have itself has taken no question on the merits of the case itself. Under those circumstances, I say there is a mistake here. If you want the Committee on Canons to consider and report their opinion, very well; but if the House, having formed an opinion and a decision, want the Committee on Canons to put it into shape and form, then refer it to them under that resolution, and not before.

The Rev. Dr. SCHENCK, of Long Island. I conceive that the Committee on Canons, reverend, learned, and distinguished gentlemen as they are, are the servants of this House, and that they are appointed to do certain work, to prepare work for this body. I do not understand that they are a committee to whom we refer matters for settlement, and to decide whether we may, or may not, consider them. I hold that they are the servants of this body, to whom we refer great matters as they come up, that they may be properly considered and digested, and presented to us in such succinct form, as will enable us to discuss them without waste of time. However, I am entirely willing to yield to the clerical deputy from Connecticut, in the idea he has suggested, and allow this subject to be referred, if he, as Chairman of the Committee on Canons, will agree to a distinct hour and distinct day, when it shall come up for discussion be-

fore this House. Then we can ascertain the sense of this body on the subject, and the Committee on Canons can learn what are the different views entertained, and thus, being instructed, not in specific form, but generally, they can probably prepare for our subsequent action such a Canon as may be desired. But if the gentleman objects to this particularly, I shall be very happy to compromise the matter, by making it the special order of business for any hour or day this week.

The Rev. Dr. MEAD, of Connecticut. No question has been taken on the motion of reference. Now, I must offer my motion, that it be not referred to the Committee on Canons. That will leave the whole question before the House. They may take it up, act upon it, and decide as they please, and if they decide that the Committee on Canons, as their servants, shall take charge of it for the purpose of putting it into shape, so be it; we will do it.

The Rev. Dr. McNAMARA, of Nebraska. The Rev. Dr. from Long Island, I think, will be satisfied with the reference, when he is informed that a distinguished layman of the Diocese of Nebraska has given a good deal of attention to this subject, and has had a Canon already prepared and printed, for the establishment of a Court of Appeals, which may be referred to the Committee on Canons, and, if desired, read by the Secretary before the reference, and thus save us a great deal of time.

The Rev. Dr. MEAD, of Connecticut. I move that this resolution be not referred in its present shape.

The Rev. Dr. ADAMS, of Wisconsin. Mr. President, I think I can take the knot out of this little matter by a few words. The Committee on Canons have specific duties to perform, and they are not very willing to undertake this work. The reverend deputy from Long Island, has manifested a very good intention, but he has not very much devoted himself to the drawing up of a plan. There are in this House a large number of men who have been engaged in judicial occupations. They know a good deal more about law than the rest of us do. I think, therefore, the proper plan would be to have a special committee composed of some few of those men in this House, who have been judges either of the United States Supreme Court, or of the State Courts, with as many clergymen as the gentleman chooses to add, and let them be a special committee to prepare a plan for a Court of Appeals. I think, if such a committee sit upon the matter, they may manage to hatch out and bring forth a chicken that will be of some strength, instead of doing as the Committee on Canons are likely to do under the circumstances of the case,—lie down upon it and crush it. [Laughter.] I therefore move that this resolution be referred to a special committee composed of six laymen who have been in the occupation of judges, whether of the Supreme Court of the United States, or the State Courts, and also three, or six, or as many more as you please of clergymen of this Convention. Of course, the gentleman from Long Island, under the usual courtesy extended by the Chair to all of us, will be one of that committee. Then when we have a plan before us, we can refer it to

our Committee on Canons, who, I hope, will be merciful toward it.

The Rev. Dr. MEAD, of Connecticut. The resolution of the gentleman, reminds me of a certain recipe for cooking a hare: first, catch your hare. This House has not decided, and is unwilling to decide this question in this manner. It is what I would call a snap judgment. You refer an act as done, which is not done, to a committee. For what purpose? To give you a plan to carry out the act. What I contend for is, that we take the act up in its naked shape here, debate it, and then if we are prepared to come to any decision, send it to a special committee, or any other committee. Let me tell, gentlemen, that we have this same subject now before the Committee on Canons. It has been before us for two or three days. It is a subject which we have now under immediate consideration. If you appoint a special committee to carry out this resolution, which is a resolution of instructions to do a certain thing, you will get a snap judgment over us. I am perfectly willing that you shall take the whole matter up, and refer it to any special committee; the Committee on Canons have plenty to do; we do not want to attend to this, but it is germane to our duties as a Committee on the Constitution and Canons, because it is very possible that it will require constitutional action, and I hold that there is no body so well fitted for the examination of such questions, as those who have been making this question the subject of their consideration for many years. But I have no objection to taking up the naked question as the gentleman from Long Island presents it, at once; and let us debate it, decide it on its merits, and then refer it, as the resolution refers it, to a committee to put it into shape.

The Rev. Dr. VINTON, of Massachusetts. I was going to say to the Convention, what my reverend friend from Connecticut has already said, that if this matter should be referred to the Committee on Canons, it would harmonize with their action already taken, whereas, if it is referred to another committee, it might contravene and hinder that action. We need something more than a simple Court of Appeal. I hold in my hand a resolution. I do not mean to offer it now; it is not in order, but as part of my speech, I say I hold in my hand a resolution, that it be referred to the Committee on Canons, to consider the expediency of reviving a certain amendment to the Constitution proposed in 1853, submitted to a Joint Committee of both Houses to sit during the recess, matured in 1856, and on the very verge of being passed, when, by one of those little incidents that will sometimes occur, an agitation was caused here touching the question of evidence, and the whole thing was exploded into atoms, and withdrawn at once by the movers. On that committee were Judge Chambers, Mr. Evans, Judge Hoffman, Dr. Hawks, Bishop Delancey, and a number of other gentlemen; and I do not suppose that any measure ever enacted by this Convention was more thoroughly matured. I remember Mr. Evans told me that he had been back and forth from New York ten or twelve times, in consultation upon that, during the recess of this body, of three years.

That measure proposed a uniform plan for the

trial of the clergy of this Church, corresponding entirely with that plan which we have for the uniform trial of Bishops. If that is carried out we shall then have a uniform and known law, we shall have a law understood by any clergyman in any part of this Church. That law will be the expression of the unity of this Church, just as truly as the prayer book is the expression of her devotions; and, sir, for the unity of the Church, we need it. What are the expressions of unity? Doctrine, discipline, worship. We have a uniform doctrine in the Creeds and Articles; we have the uniformity of worship expressed in our Prayer Book; but we have nothing for unity of discipline. Here is a measure so thoroughly ripened, so perfect in its adaptations, that I am satisfied if any member of this body who is not in principle opposed to any such thing would read it over, he would see it is as nearly a perfect document as could be arranged.

Now my proposition is, that it be proposed to the Committee on Canons to consider the expediency of reviving that act. With it, we can take in the great question of appeals, and if it be referred to the Committee on Canons, it may prevent certain contradictory legislation that the committee might run into, in reference to the Provincial Courts in New York. That matter is before us, and, for harmony of legislation, we may do something here that shall entirely supersede the necessity of anything there. On that account, I am in favor of referring this resolution to the Committee on Canons.

The Rev. Dr. MEAD, of Connecticut. Do you offer this as a substitute?

The Rev. Dr. VINTON, of Massachusetts. I do not offer it now. I only give it as a reason why I think all should go to the committee. But I suggest to my reverend friend from Long Island, that the question of expediency or in expediency that shall be reported upon by the Committee on Canons, will be debatable. It will have to be decided by this Convention, when that committee shall have reported. Suppose that the Committee on Canons shall report that it is inexpedient to legislate; that will bring up the whole subject, and my reverend friend can then introduce it upon its merits, can appeal from the Committee on Canons to the collective wisdom of the House. I hope, therefore, he will consent to have this resolution referred to the Committee on Canons, in the guise presented by the gentleman from Virginia.

The Rev. Dr. SCHENCK, of Long Island. I am very willing to change the language now, as I was not in the beginning, for I see what the temper of the House is. I see that there is a desire to have the subject discussed, and of course, that is all I wish to accomplish. I do not wish to have it, as my clerical friend from Wisconsin said, smothered in committee. I only want it brought before the House. Since I have ascertained the temper of the House, I will modify my resolution so as to read:

Resolved, That it be referred to the Committee on Canons to inquire into the expediency of submitting to this House, at the earliest possible day a plan for the organization of a court having original jurisdiction in all matters of difference be-

tween dioceses, and appellate jurisdiction in cases tried before diocesan courts.

The Rev. Dr. ADAMS, of Wisconsin. I withdraw my amendment.

Mr. BURGWIN, of Pittsburgh. It seems to me there is a preliminary question which has scarcely been touched upon, and that is, the constitutional right of this convention to establish a court of appeal. That matter has been debated several times in this House, and I think by the consent of the House it has heretofore been considered that a change in the Constitution will be necessary before we can establish a court of appeal. I know that upon two separate occasions an effort was made to induce this House to change the Constitution for the purpose of establishing such a court, and that on two occasions, in 1856 and in 1859, it failed, and in 1859 by an almost unanimous vote, and with that vote the then proposition of establishing a court of appeal fell. It is a matter upon which the leading minds of the Church have differed. I have my own opinion upon it, and at the proper time, and in the proper place, I shall take pleasure in expressing it; but it seems to me that before we can instruct our Committee on Canons—

The PRESIDENT. That part of the resolution has been withdrawn. There is no instruction in it now.

Mr. BURGWIN, of Pittsburgh. Well, sir, before we can refer it to them to consider the expediency of reporting a Canon on this subject, it seems to me we should inquire as to its constitutionality.

The PRESIDENT. That will be included, of course, in the consideration.

Mr. BURGWIN, of Pittsburgh. It may be that it is involved in it, but it does not seem to me, if they simply report on the expediency of this measure, that that necessarily involves the question of its constitutionality. It may be very expedient to establish a Court of Appeals, and yet the Constitution may stand in our way. Therefore, I move to insert in the resolution which has been offered, the words "and constitutionality;" so that if the Committee are of the opinion that the General Convention, as the Constitution now stands, have no right to establish a Court of Appeals, it may then come before us in the shape of a proposition to amend the Constitution, so as to give us that right.

Mr. RUGGLES, of New York. I second that motion.

The Rev. Dr. SCHENCK, of Long Island. I accept that amendment.

The PRESIDENT. The Secretary will read a telegram which has just been received:

THE GREAT FIRE IN CHICAGO.

The SECRETARY read the following telegram:

"CHICAGO, Oct. 9, 1871.

The entire business portion of the city is destroyed. All the banks, express and telegraph offices (except the *Tribune* office), six elevators, and the water-works are burned. There is no water in the city. Not less than ten thousand buildings have already been destroyed. The fire has burned a distance of five miles, and is still raging. The wind is blowing a gale. It will be almost impossible to get any reliable details of particulars for

some time, as there is only one telegraph wire working, and that only to the suburbs."

Mr. JACKSON, of Maine. Mr. President, coming as I do from a city which was devastated by fire seven years ago, the city of Portland, I offer a resolution with the more feeling, believing that our alms should accompany our prayers.

The PRESIDENT. It will be necessary to move to suspend the present business, before the resolution can be offered.

Mr. MASSIE, of Virginia. I move to suspend the rules for that purpose.

The motion was agreed to.

Mr. JACKSON, of Maine. I was saying that I think our alms should accompany our prayers, and I have therefore prepared the following resolution:

Resolved, That the offerings of the congregation at the service this evening, be asked in aid of the sufferers by the fire in Chicago, and that the Secretary be directed to transmit the same in the name of this Convention, to the Mayor of Chicago, to be applied under his direction to the aid of those rendered homeless and houseless by this great calamity.

The Rev. Dr. BERKLEY, of Missouri. I suggest that it may be made a concurrent resolution. As the assemblage to-night will be the General Convention, the House of Bishops included, it would be but proper and courteous to that House to make this a concurrent resolution.

Mr. JACKSON, of Maine. I accept that amendment.

The Rev. Mr. EGAR, of Pittsburgh. I ask—I am not prepared to say how it is—whether it would not be better to make the almoners on the part of the Church the Bishop and clergy of Chicago.

Mr. JACKSON, of Maine. I named the Mayor as the officer to whom alms should be sent, because I thought the aid should be given not simply to the Churchmen, but to the people of Chicago.

Mr. ANDREWS, of Ohio. I suggest whether the proportions of this great calamity are not such as to call for more deliberate action in reference to it on the part of the Church, than simply taking up a collection, and whether it might not be well to appoint a committee to take this matter into consideration, and say to the American Church what, in their judgment, is the true plan by which as a Church we should come up to the measure of our duty on this occasion, and show our sympathy with our brethren in this great calamity.

The PRESIDENT. That will be a matter for subsequent consideration.

The resolution was adopted.

COURT OF APPEAL.

The PRESIDENT. The question now recurs on the reference of the resolution of the reverend gentleman from Long Island [Dr. Schenck] to the Committee on Canons.

Mr. CARTER, of Maryland. I do not propose to continue the discussion, but only to make one single suggestion. It seems to me it would meet the views of the deputy from Long Island, who introduced this resolution, if the resolution as proposed to be amended by the amendment of the deputy from Virginia, which has now been incorporated in it, and also as proposed to be amended by the clerical deputy from Wisconsin, were adopted; that is to say, that the resolution be first a resolution of inquiry into the expediency of this legislation, and, secondly, that that should go to a special committee, instead of to the Com

mittee on Canons. Of course, if the deputy from Long Island is satisfied that it shall go to the Committee on Canons, that is sufficient and I have nothing more to say.

The only reason that I suggest that it should go to a special committee is, that I suppose, in the first place, the gentleman from Long Island would be a member of that committee, and if the majority of the committee should deem it inexpedient to have any legislation on this subject, and the minority of that committee should be of opinion that there should be some legislation, then the minority in their report could report the digested legislation which they desired to pass. But if the subject goes to the Committee on Canons, and they are opposed to any legislation on the subject, they will so report to the House, without preparing the proper legislation in case the House should be of opinion that there should be legislation; and then, if the House on that report of the Committee on Canons should disagree with the Committee on Canons, they would have to refer it back to that or some other committee to report the frame of the legislation; whereas, if you send it now to a special committee, of which of course the Deputy from Long Island will be a member, we can have at the same time the report of the committee, whether in point of fact they think legislation is necessary; and secondly, we can have from the committee the particular legislation that is necessary in the opinion of a minority, if those entertaining that opinion should be in the minority, and then we shall have the whole subject before the House.

It may turn out that the Committee on Canons may be unanimously of opinion that no legislation is necessary; it may turn out that this House after hearing that report may be of the contrary opinion. If the Committee on Canons believe that no legislation is necessary, they will so report, and will not report any digested law for us to pass, and we shall be put in the attitude then of the House (if it should be of that opinion), being of opinion that there is legislation necessary, but no legislation reported for us in form. If, on the contrary, a special committee is appointed, the deputy from Long Island, being of necessity a member of it, he, from his views already expressed, would be of opinion that legislation is necessary, and he can prepare, or have prepared for him, the appropriate legislation, and in that way we can have the whole question before the House in a digested form, without the necessity of referring it back to any committee. I respectfully submit, therefore, that the proper plan would be to adopt the amendment of the clerical delegate from Wisconsin, that a committee be appointed of six ex-judges and six clergymen.

The PRESIDENT. That amendment has been withdrawn.

Mr. CARTER, of Maryland. I was not aware of it. Then I renew it in this shape, that the resolution now before the House be so amended as to strike out "the Committee on Canons," and insert "a special committee, consisting of six clergymen and six laymen." If it should pass in that form, it will be submitted to that special committee to inquire whether any legislation is necessary, and if so, what legislation, and to report in digested form, a Canon for the purpose.

The PRESIDENT. I could not possibly put the question on that amendment unless it was reduced to writing, and permit me to say to the mover of it that the Committee on Canons is the known legal adviser of this House upon all questions touching the law and

constitution of the Church, and is constituted for that express purpose when the committee is made up. The question is on the reference of this resolution to the Committee on Canons.

Mr. CARTER, of Maryland. My amendment is certainly in order.

The PRESIDENT. Is the House willing to wait until the gentleman shall reduce his resolution for a special committee, to writing? ["Question!" "Question!"]

Mr. CARTER, of Maryland. It is only to strike out "the Committee on Canons" and say "a special committee of six clergymen and six laymen."

The PRESIDENT. There was a very long appendix to that.

Mr. CARTER, of Maryland. No, sir, the appendix is nothing. I make the motion now to refer this matter to a special committee of six clergymen and six laymen, instead of to the Committee on Canons.

The PRESIDENT. The question is on that amendment.

The amendment was rejected.

The PRESIDENT. The question recurs on the motion to refer to the Committee on Canons.

The motion was agreed to.

THIS MORNING'S EARLY PROCEEDINGS.

Mr. JENKINS, of Georgia. Mr. President—

The PRESIDENT. If the gentleman rises to renew the matter which he attempted to bring before the House some time since, I will call Dr. Haight to the Chair.

The Rev. Dr. Haight, of New York, thereupon took the Chair.

Mr. JENKINS, of Georgia. Mr. President, I have a resolution which I desire to offer, but before reading it to the House, I ask the privilege of making a very brief personal explanation.

The PRESIDENT, *pro tem*. The Chair hears no objection.

Mr. JENKINS, of Georgia. When I rose this morning, it was my purpose to move a reconsideration of the action of the House relative to certain questions of privilege, and a resolution consequent upon them. I find from conversation with divers gentlemen of the House that the opinion prevailed that I desired to resurrect those subjects for the purpose of further discussion. I beg to say that nothing was further from my purpose. My purpose was to bury them; and now I would give them a grave, rather than the living record which you have given them upon the minutes of this House. I trust it shall never be shown that I am the advocate of angry, personal, or partisan discussion here. Sir, I never lose sight of the fact that this is an ecclesiastical legislative body.

A recently dethroned potentate of Europe put out the boast that "the Empire was peace," and he led the Empire into war and brought about its overthrow. But, sir, I think all will agree that I cannot be mistaken in saying that the kingdom of Christ is peace. Let gentlemen remember that we are here, exalted as the vocation is, legislating for the kingdom of Christ, for that kingdom which was founded upon earth, and which is to endure in heaven through all eternity. No, sir; I desire not only that there shall be perfect peace and harmony on this floor, but that there shall be nothing in your records which would excite in the popular mind a suspicion that aught else had obtained here for an hour.

Sir, since rising this morning, I have, as I always like to do on such occasions, availed myself of the opportunity of conferring with the venerable and distinguished Nestor of this House, and I have come to the conclusion that it is not necessary to move to reconsider, but that another resolution which I have prepared will accomplish the same, and perhaps, a better purpose. It is this:

Resolved, That nothing referring to questions of privilege this morning raised, or to the resolution of the reverend delegate from Wisconsin, following thereon in response, be placed upon the minutes of this body.

The Rev. Dr. MEAD, of Connecticut. I second that resolution.

Mr. JENKINS, of Georgia. It is perfectly in the competency of this House to regulate its own minutes, and I think that the best way to dispose of this subject. The difficulty is, that if you put on your minutes the motion to lay on the table, it must be preceded by the questions of privilege that were raised, in order that it may appear what was laid on the table. Now, sir, just consider the condition of your Secretary when he comes to put those questions of privilege upon the minutes. Why, sir, it looks to me almost as if we should have to spread on the minutes the sermon of our reverend President, and then the statements which were made in regard to that by the gentleman from Virginia, and the gentleman from Massachusetts. I think the best disposition we can make of the whole subject would be to direct the Secretary to place nothing of all this matter upon the minutes, and it is perfectly within the competency of the House to do so.

The Rev. Dr. ADAMS, of Wisconsin. I have no objection in the world to having this whole thing buried, but the gentleman from Georgia will please remember that instead of burying it by his action, he simply disgraces me and others who have spoken upon the point, for the simple reason that wiping it out from the records of the House, does not wipe it out from the phonographic report.

Mr. JENKINS, of Georgia. Allow me one word of explanation. I should not have thought it at all necessary to include the resolution of the Reverend gentleman from Wisconsin, if that had not been included with the other question in the motion to lay upon the table. They were both together. I do not mean to imply that there was anything calculated to excite discussion or controversy in the resolution of the gentleman, but because they were coupled in the same motion to lay on the table, it was necessary, to accomplish my object, to wipe out the whole of that matter, to prevent the resolution to lay on the table going on the minutes.

The Rev. Dr. ADAMS, of Wisconsin. Mr. President, I will go on with my explanation, and I think the gentlemen, both clerical and lay, in this body, will see that there is a certain sense of justice in what I demand. I am perfectly willing that the whole thing shall be buried; but, if it is so, it must be buried entirely. This Convention must not forget that we have Senate reporters here, who copy out every word that we say, not simply what we deliberately say, but our hasty expressions, our sense and our nonsense too [laughter], our deliberate opinions and what we say under the excitement of a motion that may come up immediately, in a deliberative assembly like this. Every gentleman here knows that when a person is in the course of debate, he will say things that perhaps he may not wish. All these

things are put down; they are copied in that phonography; they appear to-morrow. If it should chance that the resolution of the gentleman from Georgia passes, what does it amount to? It amounts to this, that the whole world sees that our Secretary has been ordered to expunge all this from the minutes, while the whole thing goes before the community in the phonographic report, and all that have had anything to do with it are more or less brought under distinct and definite censure, because our action here as legislation has been expunged, and what we have said in all cases, is before the community.

Now, with regard to the resolution that I brought forward, if this Convention attended to it, they saw that it was strictly impersonal action, that it was the assertion of a principle. The Rev. gentleman from Massachusetts had stated that a principle was necessary, that a decision from this House, based on principle was necessary. By that I understood that he wanted to have the question debated on principle, and in order that it should be debated on principle, that no personalities should be brought out, I introduced a resolution in which the matter of principle was strictly put down, and I think a Constitutional principle, which, if it goes before the lawyers of this House, we agree is perfectly true and perfectly correct. Therefore inasmuch as I myself brought it forward before this House upon the ground of principle, I am very unwilling that in that case I should be under the disgrace of having my resolution expunged by the Secretary with the other part of the matter, except it can be so contrived that the phonographic report of the whole matter as taken down by the Messrs. Mallory's reporters, should be also taken out of existence. [Laughter.] In that case I think the venerable gentleman whom I highly esteem from Massachusetts, the distinguished layman from Georgia, and this whole House will be perfectly satisfied, inasmuch as the whole thing will go down to oblivion, and we can shake hands all around. [Laughter.]

Mr. SHEFFEY, of Virginia. I desire simply to say that what the distinguished gentleman from Georgia desires, is in a legislative body an utter impossibility, except by the unanimous consent of the House. That distinguished gentleman will at once see that, if the idea he suggests be feasible, minorities would have no rights; that if a gentleman of the minority submitted any proposition in the House, and action was had upon it which the majority desired to obliterate, all they would have to do, would be to pass just such a resolution as that indicated by the gentleman from Georgia, and the clerk, thereupon, too, would erase what was previously entered upon the journal therefrom.

Now, sir, every member on this floor has a right to have upon the journal any resolution, motion, or demonstration of action that is respectful to the body, and no man has a right to move that that which he has the constitutional right to put upon the journal, shall be erased therefrom. So, that I respectfully ask the gentleman from Georgia not to press that view of the subject; but in the name of that peace and Church concord, which he invokes, I would appeal to my friends, who were parties in this transaction, to give their unanimous consent to the withdrawal of all official action entered upon the record. In that way, and in that way alone, can your clerk, who is bound by the duties of his office, to enter and keep a record of your proceedings, be justified in forbearing to make

such an entry; and if the unanimous consent is given, I know that I can secure the consent of the phonographers of this House to obliterate from their notes, any notice of this transaction. But if any one member on this floor be of opinion that his rights (though he be the single man that stands here for his rights), are involved in keeping this record, in the name of the liberties of the Church let it stand.

I say, therefore, that it is a question resting in the discretion of the member or members whose question of privilege it was to raise it before the House; and if the gentleman from New York, and the gentleman from Virginia, and the gentleman from Massachusetts will give their consent, this thing can be done; if they do not, then no power can undo what has already transpired.

The Rev. Dr. VINTON, of Massachusetts. The Rev. Doctor from Wisconsin seemed almost ready to give in his consent, provided he could escape personal involvement in anything like reproach or censure that might be attached to the transaction of this morning; and the honorable gentleman from Georgia took special occasion to say to him, "Oh, but I did not mean you; you were involved in a certain unfortunate company, to your own unhappiness, and you must suffer the consequences," just as Tray, you remember, was punished for being in bad company. Otherwise, the idea was, "Were it not necessary to imply censure upon others, Dr. Adams, you would get no censure." But still, sir, we have the same claim that Dr. Adams had. If Dr. Adams's resolution should go upon the minutes, referring apparently to something already done, the inquiry would be from the outside world, from posterity, "What could that possibly mean? He must have been inane to have offered a resolution like that, which seemed to have no occasion and no purpose."

But, again, it is a part of the truth of history. I confess I love the simplicity of fact. Let it go. If anything in the history of this Church shall rebound to its discredit, more or less, why not, in the name of Him who loveth truth, let it go to the world, though it should stand as a grand penitential confession? Let it be understood that we do not claim infallibility nor impeccability.

Moreover, look at the practical result. The gentleman from Georgia proposes the pending resolution. Shall that resolution go upon the minutes? If so, there again is an exciter of curiosity. Everybody will read upon the journal, "The Hon. Mr. Jenkins, of Georgia, moved that all questions, and the whole transactions pertaining to the question of privilege, this morning, be not inserted in the record." He should have added as a supplement to that, that this proposition of his own be not inserted in the record; and so we may go on forever. I remember when I was a boy reading an account of a transaction in Congress, of which great political use was made on one side and the other. The Senate voted to surround a certain part of its minutes with a black line, as it were erasing it from the sight. But that did not erase it; there it stands, and that body, I presume, have been generally considered as not stultifying itself exactly,

but as doing a thing that had no effect, for all the world can read what one Congress passes, though the next one may not agree to it.

Now, sir, we cannot obliterate this, we cannot suppress it, we cannot smother it; and as Christian men, honest men, I really think we ought not to attempt it, but let it go for what it is worth. I have not felt, and as at present advised, am not willing, to mar or mutilate the record at all; and therefore the one vote which will spoil the whole unanimity is here at hand.

The Rev. Dr. GOODWIN, of Pennsylvania. I desire to call the attention of the House to the state of the facts, as I should understand them upon the record, and by which I think we may be somewhat relieved. If I understand it, the speeches we make here do not go upon the record. No action of the House took place until the action upon the resolution of the reverend gentleman from Wisconsin. All that would be necessary, I apprehend, on the record, would be such a statement of the antecedent facts as would account for that resolution. For example, that a certain member of the House rose to a question of privilege; that a certain other member of the House rose also to a certain question of privilege; that then a certain resolution was offered, and it was laid upon the table. That may be very discreditable to us, but I confess I can hardly see it. That a question of privilege should possibly be raised, seems to me not to be so discreditable that we need to take great pains to obliterate it, and that appears to me to be all we have got here on our record against us. I may be wrong, but that is the way I understand the record, and shall understand it until I hear otherwise. And in the meantime, if there be anything else on the record, and if there be anything more, which will be, in the future history of this Church, a blot upon our memory; if there be anything that will be disgraceful to this Church, that we in this House have done, why, sir, I say again, as my brother from Massachusetts has said, in the name of truth, and in the name of the God of truth, let it remain. If we need be ashamed of it, let us be ashamed of it; but do not let us go to bury it in the way of seeing if we cannot annul and annihilate our sin. Let us be truthful. If we are a disgraced Church, and a disgraced Convention, let it be understood. It will be good for us. We need not disgrace ourselves again. I say, let us stick to the truth of history, and submit to the consequences of our evil deeds, if we have done them, and not cowardly in this way undertake to destroy the record of them. The record is already on high,—the record has gone out over this land, and you cannot destroy it.

As to stopping the reports, that is futile,—the reports are already made. The speech of my friend from Virginia (the Rev. Dr. Andrews), if he will allow me to say "my friend," is already made, and on record. I do not know that we can stop such business as this; it is in the process of being published. And now, considering how little there is really necessary to be upon the record to hurt us

at all, and, considering how, if there should be anything else, we had better leave it there than to undertake to meddle with it further, it seems to me we might be content to let this matter alone. No word of mine would have much weight, I presume, with the gentleman from Georgia, but I should be very glad if the resolution might be withdrawn, and that nothing more might be said or put upon our records on the subject.

The Rev. Dr. NORTON, of Virginia. Mr. President, I rise to say a word in the same direction, that may influence the gentleman from Georgia. I am sure that every member of this great Council has prayed in earnest for peace in all our deliberations: and as for the gentleman's motion and his desire to bury this whole subject, I confess when the Rev. gentleman from Wisconsin this morning invited us to solemn prayer for our afflicted brethren in the Northwest, I hoped that then, so far as it was possible, this whole subject had been buried. I had hoped that the gentleman would have felt after those solemn services, that it was no longer needful to offer any motion upon this subject; and it seems to me, in accordance with the views of my colleague, that, if we seek to obliterate this subject by the action of such a resolution as is proposed, it can never be done. Even if the attempt were carried successfully to the prevailing upon those who are reporting our debates to wipe out every word which has been recorded, still the object would not be attained. I am satisfied that not a single individual of the many hundreds who were present here this morning, can ever forget the words which were uttered on this floor, and it is impossible to prevent the transmission of these varied reports; and if we are to have reports going out through the Church, and through the land, then above all things it is desirable that the exact truth should be known. I am sure, sir, that when we voted that this subject should be laid upon the table, it was from an earnest desire of peace, from an anxious desire to avoid all further agitation of the many and complicated questions, which must necessarily associate themselves with the further discussion of the subject upon its merits. And, sir, I am sure that we were all likewise impelled by the consideration, that those specially interested in the point of privilege which had been raised, seemed satisfied to let the whole case remain as it stood. And now, sir, in the spirit of peace, which can never be sure and never lasting, except as it rests on the basis of truth, I appeal to the respected deputy from Georgia, as the only method of closing this whole subject, and so far as possible burying it entirely, to withdraw his resolution.

Mr. JENKINS, of Georgia. Mr. President, in regard to the view presented by the honorable gentleman from Virginia (Mr. Sheffey), I entirely accord with him. I know what the rights of minorities are in this matter, and I did not expect that my resolution would be allowed to go upon the minutes unless it were accepted by a unanimous vote of the House; but I did suppose, judging

from my own feelings, and those which were uttered immediately in my neighborhood here, that it would be the general or unanimous wish of the House that this matter should be kept off the journal. I made the proposition from the best motive in the world; but since I find that there are those who think that what has occurred should appear upon the minutes, and especially as one of the reverend gentlemen who was concerned personally in the matter, desires that it should be so, I take it that a unanimous vote cannot be had. I beg the reverend gentleman from Massachusetts, as well as all others who may have been concerned in this unpleasant affair, this morning, to believe that I intended no reflection upon any one of them, or any party whatsoever in offering this resolution. I shall not read the minutes of this day with as much pleasure hereafter as I should have done, if they contained nothing of that matter; but I withdraw the resolution.

BOOK OF COMMON PRAYER.

Mr. WELSH, of Pennsylvania. Mr. President, I beg leave to offer two resolutions, merely for reference, that probably will elicit no discussion. The first is:

Resolved, That it be referred to the Committee on Canons to consider and report to this House such modifications of Canon 20, Section 1, Title I, entitled, "Of the use of the Book of Common Prayer," as may remove any apparent ambiguity in its terms, and any unnecessary restrictions of the liberty of the clergy in the prosecution of their pastoral work.

The Rev. Mr. SHEETZ, of Missouri. I ask the gentleman from Pennsylvania, if he will allow that to lie over, as I have a resolution to offer on the same subject.

Mr. WELSH, of Pennsylvania. I should prefer action in this form.

The PRESIDENT, *pro tem.* (Rev. Dr. HAIGHT, of New York). The question is on the resolution of the gentleman from Pennsylvania.

The Rev. Dr. BEERS, of Wisconsin. I should like to have consulted Mr. Welsh before he offered this proposition; but there was no time. I had a resolution drawn up, referring to the same subject, which I will offer, with his consent, as a substitute:

Resolved, That it be referred to the Committee on Canons to report on the expediency of amending Canon 20, Title I., by adding these words: "*Provided*, That the above restriction is not to be understood as denying the right of each Bishop to authorize in his diocese, such abbreviations of Morning or Evening Prayer as he shall deem useful and necessary, at certain seasons and on special occasions."

The PRESIDENT, *pro tempore.* It seems to me that is hardly a proper amendment to the motion of Mr. Welsh.

The Rev. Dr. BEERS, of Wisconsin. Very well. The resolution of Mr. Welsh was agreed to.

DISSOLUTION OF PASTORAL CONNECTION.

Mr. WELSH, of Pennsylvania. I also offer the following:

Resolved, That it be referred to the Committee on Canons to consider and report such modifications of Canon 4, Title II., "Of the dissolution of a pastoral connection," as may remove any ambiguity in its terms.

The ambiguity is so great that a court in Philadelphia has adjudged that it cannot understand it, and cannot act upon it.

The Rev. Dr. HARE, of Pennsylvania. I should be very glad if the gentleman would introduce into this resolution a request of the Committee on Canons, to inquire into the conflict, if there be a conflict, between the Canon which he speaks of and certain parts of the office of institution, because the office of institution declares that in case of a difficulty arising between a rector and his church, "we, your Bishop, with the advice of our presbyters, shall be the ultimate arbiter and judge"; but the Canon does not bring in any right as belonging to the presbyters. Formerly it did. The Bishop was to summon a council of the presbyters of the diocese. The Canon now does not do this thing; and we have two laws conflicting; at any rate seeming to conflict, one with another, the higher law of the Rubric, in the office of institution, and the law of the Canon.

The PRESIDENT *pro tem.* Does the gentleman from Pennsylvania accept the amendment?

Mr. WELSH, of Pennsylvania. I have no objection.

The Rev. Dr. MEAD, of Connecticut. I agree with the gentleman that it is a question of importance; there is a conflict between the Office of Institution, and that which is merely Canonical.

The amendment proposed was read, being to add:

And also to inquire whether there be any conflict between the Rubric in the 'office for the institution of ministers', and the canon referred to."

The amendment was agreed to.

The resolution as amended, was agreed to

ABBREVIATIONS OF MORNING AND EVENING PRAYER.

The Rev. Dr. Beers, of Wisconsin, offered the following resolution, which was referred to the Committee on Canons:

Resolved, That it be referred to the Committee on Canons, to report on the expediency of amending Canon 20, Title I., by adding these words, "Provided that the above restriction is not to be understood as denying the right of each Bishop to authorize in his diocese, such abbreviations of Morning and Evening Prayer, as he shall deem useful and necessary at certain seasons and on special occasions.

COMMITTEE ON CHRISTIAN EDUCATION.

The Rev. Dr. JACKSON, of Connecticut. Mr. President, I wish to call up message No. 6 from the House of Bishops, for the concurrence of this House. Will the Secretary please read it?

The PRESIDENT *pro tem.* Will the House entertain the proposition? No objection being made, it will be read.

The SECRETARY read the resolution of the House of Bishops, communicated in message No. 6, as follows:

Resolved (the House of Clerical and Lay Deputies concurring), That the committee of the two Houses of this General Convention on Christian Education, be combined in a joint committee on that subject.

The Rev. Dr. JACKSON, of Connecticut. I move that this House concur in that resolution.

The motion was agreed to.

DISPATCH OF BUSINESS.

On motion of the Rev. Dr. Jackson, of Connecticut, message No. 7, from the House of Bishops, was taken up; and the resolution of that House was read as follows:

Resolved (the House of Clerical and Lay Deputies concurring), That a Joint Committee, consisting on the part of this House of three members, be appointed to consider and report what measures, if any, are practicable for securing the better order and despatch of the business of the General Convention.

The PRESIDENT, *pro tem.* I call the attention of the House to the very great importance of this resolution. If any action can be had under it, it will facilitate the business of the General Convention more than anything that can be done. A proposition comes from the Bishops themselves to open a way for a joint conference.

The resolution was concurred in.

AID FOR THE CHICAGO SUFFERERS.

The Rev. Dr. McNAMARA, of Nebraska. Mr. President, we have sent up our prayers to the throne of God on behalf of the people of Chicago; we have made provision for our contributions to-night, being sent there; but we can do further. I therefore offer the following resolution:

Resolved, That the Clerical and Lay Deputies in General Convention, assembled, urgently implore the members of the Church, and of our congregations in the United States, to send immediate aid to the sufferers by the great calamity of fire which has befallen them.

That will be sent on the wires all over the country, and immediate aid will be sent in.

The Rev. Dr. BABCOCK, of Massachusetts. Mr. President, I have prepared a resolution, which I offer as an amendment to that, which I think will be fully acceptable, from which I think there will be no dissent, to which I think all will consent:

Resolved, That the several Bishops of the Church be requested to recommend to the rectors of their dioceses respectively, to take collections in behalf of the sufferers at Chicago, on the first Sunday of November ensuing, and that such sums thus collected be forwarded to the Bishops or treasurers of the dioceses respectively, to be by them remitted to the Mayor of the city of Chicago, in the name of the churches of the diocese.

That will make us with one consent take up the collections on the same day, and we shall act, as we are always glad as a Church to act, in concert.

The PRESIDENT *pro tempore*. Does the gentleman from Nebraska accept the amendment?

The Rev. Dr. McNAMARA, of Nebraska. No, sir. We want immediate aid, and we can pass both resolutions. Immediate aid can be sent now, and then we can follow up on the 1st Sunday of November. I know Chicago and all about it, and there are thousands of people now in distress, and immediate aid can be sent, if this Convention will request it.

The Rev. Mr. LEE, of Kansas. Mr. President, these two resolutions do not conflict with each other. One provides for immediate relief, and the other provides that more systematic relief shall follow. They might both be passed, it seems to me, with great propriety.

The following message (No. 12) was received from the House of Bishops:

The House of Bishops informs the House of Clerical and Lay Deputies that it has adopted the following resolution:

Resolved, That this House concurs in the action of the House of Clerical and Lay Deputies in message No. 8, concerning the disposition of the offerings of the congregations to be made this night.

And that this House informs the House of Clerical and Lay Deputies that it has already offered its solemn prayer to Almighty God for His gracious interposition in this direful calamity, under the following resolution:

Resolved, That in view of the afflictive scourge, which is now devastating Chicago, the chief city of the Diocese of Illinois, and as expressive of our sympathy for that suffering population, and with the Bishop of that diocese now present with us, this House will devote a space of time to offer to Almighty God its united prayers that He will be pleased to stay the devouring flame, and give such gracious relief to the suffering city, as in His wise providence may meet their imminent necessities.

The PRESIDENT. The question before the House is the resolution of the gentleman from Nebraska.

The Rev. Dr. BABCOCK, of Massachusetts. Mine does not conflict at all with that. Every gentleman is at perfect liberty to take what measures he can to send immediate relief; but many of us cannot send from our own parishes until the first Sunday in November, and then our hearts will be warm, and we can act in concert quite independently of anything that may be done in the meantime.

The PRESIDENT, *pro tem*. The gentleman can offer the other, after this is passed.

The Rev. Dr. BABCOCK, of Massachusetts. I simply did not wish it superseded.

The PRESIDENT, *pro tem*. The question is on the resolution of the gentleman from Nebraska. I suggest that it ought to be a joint resolution. It is rather an assumption on the part of this House to act independent of the other House in addressing the clergy of the Church.

The Rev. Dr. McNAMARA, of Nebraska. I will amend by inserting "the House of Bishops concurring," so that it will read:

Resolved (the House of Bishops concurring), That the General Convention earnestly implore the members of the Church, and of our congregations in the United States, to send immediate aid to the sufferers

by the great calamity of fire, which has befallen Chicago.

Mr. ANDREWS, of Ohio. I simply ask leave to read a resolution, the form of which I like rather better than that of the gentleman from Nebraska:

Resolved, that a Joint Committee, to consist of seven on the part of this House, be appointed to devise and report to this Convention a plan by which the contributions of this Church may be gathered, as far as practicable, from every parish in every diocese thereof, for the relief of our fellow-citizens of Chicago in their great calamity.

The Rev. Dr. McNAMARA, of Nebraska. Mr. President, there will be a great deal of systematic effort needed on behalf of these people. What we want is to use the telegraph wires now, that immediate aid may be sent by individual members of the Church throughout the land.

The PRESIDENT, *pro tem*. Does the gentleman from Ohio offer his proposition as an amendment?

Mr. ANDREWS, of Ohio. No, sir, I do not.

The PRESIDENT. The question is on the resolution of the gentleman from Nebraska, just read.

The resolution was agreed to.

The Rev. Dr. BABCOCK, of Massachusetts, offered the following resolution:

Resolved (the House of Bishops concurring), That the several Bishops of this Church be requested to recommend to the rectors of their dioceses respectively, to take collections in behalf of the sufferers at Chicago, on the first Sunday in November ensuing.

Mr. ANDREWS, of Ohio. I will offer as a substitute for that my proposition, though I have no preference as to the form:

Resolved, That a joint committee, consisting of seven on the part of this House, be appointed to devise and report to this Convention a plan by which the contributions of this Church may be gathered, as far as practicable, from every parish in every diocese thereof, for the relief of our fellow-citizens of Chicago in their great calamity.

The PRESIDENT, *pro tem*. The gentleman from Ohio offers this amendment to the resolution of the gentleman from Massachusetts.

The Rev. Dr. VINTON, of Massachusetts. That seems to be hardly necessary. The resolution of the gentleman from Massachusetts prescribes a very natural and very Churchlike method. His plan will touch every parish in the land. On the first Sunday in November, if it is carried out, there is not a congregation that will not be called upon to contribute to this object, and those contributions will be carried through the proper channel, and will directly reach their destination. Now this seems to me a quite unnecessary rule in addition. That is useless, or this is useless.

The PRESIDENT, *pro tem*. If this is passed, the other falls.

The Rev. Dr. VINTON, of Massachusetts. I thought it was additional.

The PRESIDENT, *pro tem*. No, sir.

The Rev. Dr. VINTON, of Massachusetts. Then I submit that the method proposed by my brother from Massachusetts, seems to be more in accordance with our Church usage, than to appoint a committee here to prescribe the method by which in all the several parishes these contributions shall be collected. Let each diocese act for itself; let each Bishop call upon his churches to contribute. That is the way such a contribution is usually made. Why not now? I submit, therefore, that this, as a resolution to supersede the other, seems to be quite uncalled for. The

other is the simpler plan and has less machinery, and it seems to me will be quite as effectual. I cannot see how a committee here can very well reach the point. They must publish a manifesto that must go through the dioceses. It may reach some and may not reach others; wherever it goes, it goes without sufficient authority. Let the ecclesiastical authority of each diocese call on all the churches to do their duty in the matter; and they will do it as a matter of course; they will do it to the largest extent. There will be no extra action called for and the result will be quite as rich, and I should think a great deal fuller than in this way. I should prefer the original resolution, for one.

The PRESIDENT, *pro tem.* The question is on the amendment of the gentleman from Ohio.

The Rev. Dr. SCHENCK, of Long Island. I hope we shall accept the resolution of the deputy from Massachusetts, with an amendment which I have to submit, which I think he probably will accept; that is, to change the date from the first Sunday in November to the last Sunday in October, which gives almost three weeks, which is ample time for the Bishops to accomplish the purpose there submitted, and is one week sooner. *Bis dat qui cito dat.* Besides, we have not really the opportunity of appropriating the collection on the first Sunday in the month to this object. I know that mine is pre-empted. Almost the whole of the Communion alms I have in my church are regularly apportioned six months ahead, I may almost say, for the payment of the rent of the poor widows and others in my immediate vicinity. I cannot take this money away from them, and have them turned out of their houses. And if we take up another collection on the same evening, after the alms collection of the morning, we shall not get nearly as liberal a contribution. The last Sunday of the month is ordinarily a Sunday free from collections, it being the alternate Sunday coming between the third Sunday, which is generally a collection for the great objects of charity, and the first Sunday which is the alms collection. I think we shall accomplish a great deal more for our object, if we take the last Sunday of the month, and it will relieve many of us from an embarrassment which would be consequent on the adoption of this resolution, to take effect on the first Sunday of the month. I will not offer the amendment, but submit it for the consideration of the deputy from Massachusetts.

The Rev. Dr. BABCOCK, of Massachusetts. I duly considered that matter; but many of us will not occupy our pulpits, probably, on the last Sunday in October; we shall not have returned in season; we shall have made other provisions; and then on the first Sunday in November, I suppose, all the rectors of parishes will be engaged in the Holy Communion,—a time when, if ever, our hearts are more subdued, when we shall be in closer sympathy with our people, and when, therefore, I think we should get much larger contributions, and do the work far more effectively than on the last Sunday, which is a very doubtful one, I think, for many of us.

In regard to any arrangements that may be made in a few parishes, I think they can all be superseded in view of the magnitude of this great and holy cause. I, therefore, do not wish to alter the resolution, because in my honest convictions, the first Monday in November is the very best. It is near at hand, and by that time we shall all be at home under very holy circumstances.

The Rev. Mr. PADDOCK, of Long Island. If the gentleman will insert the words, "on the last Sunday

in October," that will remove the objection. There is exceeding force in the suggestion of my brother from Long Island. There are other churches besides his, which cannot give their Communion alms.

The Rev. Dr. BABCOCK, of Massachusetts. I will accept that with pleasure.

Mr. Andrews, of Ohio. I beg leave to withdraw my amendment, seeing the feeling of the House.

The PRESIDENT, *pro tem.* The question recurs on the resolution of the deputy from Massachusetts as modified.

The resolution, as modified, was read as follows:

Resolved (the House of Bishops concurring), That the several Bishops of the Church be requested to recommend to the rectors of their dioceses respectively, to take collections in behalf of the sufferers at Chicago, on the last Sunday in October, or the first Sunday in November ensuing.

The resolution was agreed to.

JUDICIAL SYSTEM.

The Rev. Dr. VINTON, of Massachusetts. I am sorry to call the attention of the Convention from these heart-offerings to the more perfunctory matters of legislation; but I hold in my hand the resolution to which I referred awhile ago.

Resolved, That it be referred to the the Committee on Canons, to consider and report on the propriety of adopting the report of "the Special Committee on the judicial system of the Church," to be found in the journal of 1856, as reported, or with modifications.

The judicial system of the Church, as reported in 1856, comprises all the elements of a thorough judicial system. It has provisions for courts of appeals; it prescribes what sort of offence shall be cognizable, and what manner of pleading shall be used in every case, and I presume we cannot have a better model to refer to the Committee on Canons than this. My motion proposes to refer this as a sort of model to the Committee on Canons.

Mr. RUGGLES, of New York. I move to amend the resolution by inserting the words, "and constitutionality." That amendment was inserted in the other resolution.

The Rev. Dr. VINTON, of Massachusetts. I accept it.

The amendment was agreed to.

The resolution as amended, was agreed to.

The usual hour of adjournment having arrived, On motion of the Rev. Dr. Burgess, of Massachusetts, it was

Resolved, That this House do now take a recess till half-past seven o'clock, to meet at that hour for Divine Service and the sermon of the Lord Bishop of Lichfield, and at the close of that service the House adjourned.

EVENING SESSION.

The House resumed its session at half-past seven o'clock, the House of Bishops occupying the chancel of the Church.

After Evening Prayer, and the sermon of the Lord Bishop of Lichfield, the House adjourned.

SIXTH DAY.

TUESDAY, October 10, 1871.

Morning Prayer was said by the Rev. T. P. Barber, of the Diocese of Easton, assisted by the Rev. J. Leighton McKim, of the Diocese of Delaware, and the service was concluded by the Rt. Rev. H. W. Lee, D.D., LL.D., Bishop of Iowa.

THANKS TO THE BISHOP OF LICHFIELD.

On motion of the Rev. Dr. Paddock, of Long Island, the rules of order were suspended, and the following resolution submitted by him was unanimously adopted:

Resolved (the House of Bishops concurring), That a joint committee of three on the part of this House be appointed to wait upon the Lord Bishop of Lichfield, and express the deep sense of obligation which this Convention feels for his many words of wisdom, power, and love, during his visit to this General Convention, and especially for his sermon before the Convention last evening; and also to signify its thanks that the sermon is kindly placed in the hands of the Convention for publication; and also to assure the Rt. Rev. Bishop of the prayers of the Convention for the safe and happy return to their own churches and homes, of the visiting Bishop and his attending clergy.

PRINTING OF THE SERMON OF THE BISHOP OF LICHFIELD.

The Rev. Dr. Haskins, of Long Island, submitted the following resolution:

Resolved, That 2,000 copies of the sermon of his Lordship, the Rt. Rev. Bishop of Lichfield be printed, and that the Secretary of this House be instructed to add as a preface to it, the resolutions of the House by which the invitation was extended to his Lordship to preach the sermon; and as an appendix, all that portion of the minutes of this House of October 9th, touching the great calamity in Chicago, and the prayers offered, and the relief extended by this Convention.

On motion of the Rev. Mr. Scarborough, of Pittsburgh, the resolution was amended by striking out all that portion of it relating to the calamity at Chicago.

On motion of the Rev. Dr. Haight, of New York, the resolution was further amended by striking out "2,000" and inserting "5,000" as the number of copies to be printed, one copy to be sent to each Bishop and each member of the House, and two copies to each parochial clergyman throughout the country, one for himself and one for his vestry.

The resolution, as amended, was adopted unanimously.

CONTRIBUTIONS TO CHICAGO SUFFERERS.

The SECRETARY. In response to many inquiries, I will state that the offertory last night amounted, in round numbers, to the sum of \$2,050. Contributions will still be received, if sent up by the pages or others to the Secretary's desk. I telegraphed to the Mayor of Chicago to draw on me

at sight for the sum of \$2,050, to be appropriated for the relief of the houseless and homeless people of Chicago, without distinction of race or faith.

FORMATION OF NEW DIOCESES.

Mr. Judd, of Illinois, submitted the following resolution, which was referred to the Committee on Canons:

Resolved (the House of Bishops concurring), That the alteration of Article 5 of the Constitution, proposed at the last General Convention, and made known to the several Diocesan Conventions, and printed on page 136 of the Journal of the last General Convention, be, and the same is hereby, finally agreed to and ratified, as provided in Article 9 of the Constitution.

RITUAL UNIFORMITY.

Mr. WELSH, of Pennsylvania. Mr. President, I presume we shall now proceed to the order of the day, and with your leave I ask the Secretary to read the resolution that it was my privilege to offer when the subject was first presented.

The SECRETARY read the resolution offered by Mr. Welsh on October 7th, as follows:

Resolved, That message No. 5 from the House of Bishops be so far concurred in by this House, as to appoint the proposed committee by ballot.

[Messages No. 5 and No. 11 of the House of Bishops were read.]

Mr. WELSH, of Pennsylvania. Mr. President, I will state briefly my reasons for offering the resolution now before the House. By turning to page 270 of the Journal of the last Convention, gentlemen will find the action of the House of Clerical and Lay Deputies on this subject. It reads thus:

"The House of Clerical and Lay Deputies informs the House of Bishops that it has adopted the following resolutions:

"1. *Resolved*, That the House of Bishops be requested to set forth for consideration and adoption, by the next General Convention, such additional Rubrics on the Book of Common Prayer as in their judgment may be deemed necessary.

"2. *Resolved*, That, meanwhile, in all matters doubtful, reference should be made to the Ordinary, and no changes should be made against the godly counsel and judgment of the Bishop."

It is evident then, that the request of this House now ceases so far as the Bishops exercising unusual godly counsel and judgment are concerned. From the message of the House of Bishops it is also apparent that they have not been able to comply with the request of the House of Clerical and Lay Deputies. We distinctly requested them to prepare such Rubrics as they thought necessary, and submit them to this House.

The Rev. Dr. HAIGHT, of New York. Will my friend read their reply to that request, so that we may have the whole matter?

Mr. WELSH. Yes, sir. It was,

"On motion of the Bishop of Maryland, it was

Resolved unanimously, That the House of Bishops affectionately informs the House of Clerical and Lay Deputies, that in the full trust that the spirit of the second of the three resolutions communicated by the House, in its message No. 78, will be carried out in the action of the Clergy and Laity of the several Dioceses and Missionary Jurisdictions of this Church,

this House deems it inadvisable to enter upon any alteration of the Rubrics of our Book of Common Prayer, by insertion of additional matter; but that it will appoint a committee, whose duty it shall be to consider whether any additional provision for uniformity by Canon or otherwise, is practicable and expedient, and to report to the next General Convention."

Now, we have the report of the Committee of Bishops. The Bishops in this report have informed us that they deem some action highly important, if not indeed absolutely demanded, and they indicate their wish to make it by canonical provision. On that point, this House has expressed its opinion very decidedly. By referring to pages 140 and 141 of the journal of the last convention, it will be found that the majority of a minority of a committee on Canons made reports. Neither of them saw fit to report any Canon, or to suggest that any canonical provision should be made in this exigency. On the contrary, it seemed to be the commonly received opinion in the House that a canonical provision would not reach the case; that it was utterly impossible by Canon to provide for every exigency. Hence, the course pursued at the last convention. If a committee is appointed, I presume it would be guided in that respect by what seemed to be the wish of the last House, unless otherwise instructed. Whether the House will be pleased to express itself on that subject, of course remains with it.

The Committee, then, if appointed, will be a Committee of Conference with the Bishops, and as I understand it, going down with the disposition expressed by this House not to have canonical restrictions. I think it is agreed on all hands that something is necessary; but whether it be laws, that can never be defined to cover every case, and laws, that if broken, must lead to trials, is something that this House, perhaps, is not now prepared to decide. If that committee can unite with the House of Bishops on measures that will be generally agreeable to both Houses, I doubt not that this House will be entirely prepared to ask the Bishops and the Fathers in all kindness to carry it out, as we did at the last Convention.

Those of us who have examined this report carefully are satisfied that it could never pass the House of Bishops; and the members of the Committee of Bishops in making the report state that the whole of it is not a unanimous report, but they unite in it to have it brought before the House of Bishops. That I may not misstate, I will read their words:

"In proceeding to state the various details which, they believe, ought to be made the subjects of such action as has been proposed, the Committee desire to say, that while, on the great majority of the points presented, there has been entire unanimity of opinion, some things are, nevertheless, proposed, and others are omitted, which, had each member's individual wish regulated the final result, would have been differently disposed of. They have strongly felt that uniformity necessarily involves the giving up of some things, and the acceptance of other things, which individuals may desire, on the one hand, to retain, or, on the other hand, to remove."

The Rev. Dr. MEAD, of Connecticut. That I believe is the report of the committee. It is not before us. The simple question before us is, will we concur with the House of Bishops, who have asked us to concur in granting a joint committee? The object of the House of Bishops is expressed distinctly in their mes-

sage, that this House should concur in appointing on their part their portion of a joint committee, the House of Bishops having stated the number of their committee to be appointed, five, and the mode of appointment, and asked this House to concur in appointing on its part, members as a portion of the joint committee. Now I hold that the whole object of that joint committee is to consider that paper which, my friend from Pennsylvania has just read from. That paper is not now before us. It cannot come before us legitimately until it has been submitted to the joint committee, and a report from that committee shall have come to us.

The gentleman has read from the report of a committee of five Bishops. If each member of the five had put in what he pleased or what he wished, the result would have been different, they tell us; but they have all agreed, and all put their names to the result presented in the report. But that result is not before us, but is to come before us through a joint committee. Now the only question is, will this House concur with the House of Bishops? Will they not, through mere courtesy and under their obligations to the House of Bishops, raise this committee with a distinct understanding, as stated in the resolution, that the committee shall report, not to the House of Bishops alone, but to the General Convention. They now have received in their House the report of the committee which we requested them to appoint, and without acting on that report, they ask us, as a part of the General Convention, to concur and go to work with them in raising a joint committee to consider this matter. If the joint committee report nothing, so be it; but I hold that it is out of time and place entirely to bring into the question of concurrence, the report of the Bishops' committee from which the gentlemen has read.

Mr. WELSH, of Pennsylvania. If that is the ruling of the Chair, I shall be very much delighted indeed.

The PRESIDENT. I cannot rule that way. I take it the call to order by the deputy from Connecticut, is an illustration of a principle which I have long adopted and acted on, and by which I think I have facilitated the work of this House; and that is, that when a gentleman is making an argument, he almost always has some purpose in the various incidents of that argument which he will bring to bear presently, and that you will save time by letting him do it, instead of interrupting him, and making a speech to show that he cannot do it. In case of plain departure from the question, of course a speaker must be called to order; but it seemed to me that the reference to what was in the report in this case, evidently led to the conclusion to which the member was coming.

Mr. WELSH, of Pennsylvania. I was exceedingly anxious, Mr. President, that your ruling should be in conformity with the opinion of the delegate from Connecticut, although I did not see exactly how you could so decide. And yet, even then, reading any document as a part of my speech, would have been in order. I had not purposed taking up this report of the Committee of the House of Bishops any further, than seemed to be necessary to show that a committee of this House must be appointed to unite with them, in representing all the interests. The Bishops represent one interest; the clerical deputies represent another interest; and the lay deputies represent an immense interest. By having that committee-meeting, we can then have all interests represented; and those of us who have a horror of

clerical trials, especially in the matter of dress, may have an opportunity of expressing ourselves. The Bishops say there is need of action. I presume almost every member of this House believes there is need. The only difference in judgment is, as to the way which we shall reach that. So far as false doctrine is taught, we all agree that there is need; and yet that need is not as great as it was three years ago. I have nothing like the fears I had three years ago, and then they were small; but I frankly confess that in a Republic, the last thing I am afraid of is, that we shall all become ultra-Ritualists. I am very much afraid of a growing disrespect for the Church, and a growing disrespect for the clergy. This year there is not the need there was three years ago. Three years ago Rome, seemed to be attractive to hundreds, where she is repulsive now. Whenever the Pope was willing to have the attribute of Deity applied to him, then, his whole system reminded me of what befell Herod on a like occasion.

Now, that we have need of very great liberty, I think every member of this House feels. We hear from Italy; we hear from Germany, and we shall hear from the Greek Church. We heard last night from the Right Rev. preacher, how the mother Church was moving, and that prelate loaned me a paper from which I will read but a few words, to show how the minds of those in the mother Church are being directed toward the end, that I apprehend we shall all reach by and by. These paragraphs he marked, and reference was made in the sermon last night to them; they are from the proceedings of the adjourned meeting of the Conference of Bishops of the Anglican Communion, holden at Lambeth Palace, December 10, 1867. The suggestion was made there, "that each province in the Colonial Church should have a right of electing two members of the tribunal; that all the dioceses of the Colonial Church not associated into provinces, should collectively have the right of electing two; that each province of the United Church of England and Ireland should be requested to elect two members, but that the province of Canterbury should elect three in the event of His Grace the Archbishop not acting as president; that the Episcopal Church in Scotland should have the right of electing two, and as it appeared probable that the Protestant Episcopal Church in the United States would avail itself of such a tribunal, that Church should have the right of electing five members; that the judgments of the tribunal of appeals should be delivered in the form of a decision; that the teaching or practice of the accused party is, or is not permissible."

In this report of the House of Bishops, we find that they claim for our Church a very large liberty. I think those of us who have had the privilege of working with her, know that it is absolutely necessary, if we are to reach the great outlying masses; and much as, with my Quaker instincts, I loathe what may be called ultra-ritualism, yet for the life of me I cannot help feeling an interest in its work. I must say that in the work which was assigned to a number of us twelve years ago by this very Convention, the work, of trying to reach the great outlying masses, I had more sympathy and more encouragement from these very men than from any others. It struck me that they were very much like most reformers, who are nearly always ultra people, nearly always extravagant people. But shall we crush a reformation because it is being introduced in a way that we think likely to bring error

into the Church? I have more confidence in my mother Church than that. I have no fears of that kind. I believe if we make her a healthful working Church, she will slough off every disease, with which they may try to impregnate her.

When you see the Bishop of Ely testifying in England that the mother Church is reaching but two per cent. of the working class, and when, I am sorry to be able to say it, the Episcopal Church in the United States is not reaching one per cent. of that class, I am almost afraid that whilst we are picking out the mote in others' eyes, we will not see the beam in our own. I mourn the weakness of these men; their wrong-doing is very apparent; but I think we are frightened over-much. I have not seen the Church retarded in her work, and I took pains to ask those who have been associated with me in some five or six mission parishes, whether they have found the least hindrance in their work because of this Ritualistic movement, and invariably they told me no, they have not found one poor man or woman over whom they were brooding, and whom they were trying to lead to Christ, who was in any wise hindered because of this movement in the Church. I have no doubt in many parishes clergy have been almost starved by it, but I believe that when we come, head to head, and heart to heart, when we act out the teachings, that we have had from that prelate, we shall have no difficulty in our work. It does make me sick at heart when I find that we seem utterly unable, by any ordinary means, to reach this great outlying mass, the very class that to-day, in my own State, are casting votes that bind us, and all we have. We know that we are in their power.

The Rev. Mr. GASMANN, of Nebraska. I rise to a point of order. I should like to inquire whether this whole question of Ritualism is before the House, or whether the question is not merely whether we shall appoint the Committee requested by the House of Bishops.

The PRESIDENT. My decision is, that the question of the appointment of a committee opens the whole subject, because the expediency of appointing a committee is clearly involved in the question.

Mr. WELSH, of Pennsylvania. Mr. President—

The Rev. Mr. GASMANN, of Nebraska. I appeal from the decision of the Chair to the House.

The Rev. Dr. SCHENCK, of Long Island. There are a great many who honestly differ from the Chair, and it might be well to get at the sentiment of the body. It seems, to a great many, that we have not anything distinct before us now. We have requested the House of Bishops to do something for us. The House of Bishops has respectfully communicated with us, and it seems only a matter of courtesy that we should unite with them in carrying out an idea which we have submitted to them. Now, if we appoint a committee to consider this question, there may be entirely different matters placed before us from those contained in the report already made; and if we go into these subjects we may spend a week or two weeks in debate, for the House knows it is interminable. I every gentleman would claim the same privilege a

the deputy from Pennsylvania, to make a long speech on the subject of the committee, it would take us from now to Christmas. I think we ought to defer that discussion, until the thing comes before us in a shape prepared for our action. We have nothing of that kind now; this is merely a preliminary matter; and, I think, out of courtesy to the House of Bishops, we ought not to discuss the question; we ought to appoint a committee, so as to have a conference, and then, whatever matter is brought before us, let us have full liberty of debate. I think this is a mere waste of time now.

Mr. JUDD, of Illinois. I move to lay the appeal on the table.

The Rev. Mr. FARRINGTON, of New Jersey. I ask for the reading of the order of this day. It seems to me the whole subject was made the order of the day for 11 o'clock.

The SECRETARY read as follows:

On the motion of Mr. Meigs, of New Jersey, the whole subject of message No. 5, from the House of Bishops, was laid upon the table, and made the order of the day for Tuesday, October 10th, at 11 o'clock.

The Rev. Dr. HOWE, of Pennsylvania. Does that include the whole subject?

The Rev. Dr. HAIGHT, of New York. It evidently is not the whole subject of ritualism, but merely the whole subject of the asking, by the House of Bishops, of a Committee of Conference. It does not involve the report at all.

The PRESIDENT. A motion has been made to lay the appeal on the table, and that is not debatable. The appeal is from the decision of the Chair, ruling that Mr. Welsh is in order.

The Rev. Dr. HOWE, of Pennsylvania. And the whole subject open to debate.

The Rev. Dr. SCHENCK, of Long Island. I submit that, when an appeal is taken from the decision of the Chair, it is right to ascertain the sense of the House on the subject, and not smother it in this way.

The PRESIDENT. All these are matters of discretion for the House, not of order.

The Rev. Dr. DALZELL, of Louisiana. I believe on reference to all rules on this subject you will find that an appeal from the Chair's decision cannot be laid on the table.

The PRESIDENT. That is a question which I will beg leave to refer to the former speaker of the House of Delegates of Virginia (Mr. Sheffey), in whose judgment I have more reliance than that of any other person in this House, on such subjects.

Mr. SHEFFEY, of Virginia. Mr. President, an appeal may be laid on the table, like any other matter before the House.

The PRESIDENT. I think that question is now decided. The question is on laying the appeal on the table.

The motion to lay on the table was not agreed to.

The PRESIDENT. The question is on the appeal.

The Rev. Dr. PADDOCK, of Long Island. May it not be perfectly understood what action we are taking? I understood the Chair to say in his last statement of the question before us, that it was whether Mr. Welsh, of Pennsylvania, was in order.

I understood a little while before, that the question was whether the whole subject contained in all the pages of this report was now open for discussion. The two matters are very different.

The PRESIDENT. I did not intend to decide that broadly; but certainly, as far as the member from Pennsylvania has gone, I decided that he was in order, and that the general subject of ritualism was pertinent to the question now before us.

The Rev. Dr. PADDOCK, of Long Island. Is the simple question, Whether the gentleman from Pennsylvania is in order, or whether the whole subject of ritualism, and all that it involves, is to be discussed?

The PRESIDENT. The only question that can properly be before us now is, is the action of the Chair correct in deciding that the member from Pennsylvania is in order. From that decision an appeal has been taken. The question is, shall the decision of the Chair stand as the judgment of the House?

The question being put, a division was called for.

Mr. WHITTLE, of Georgia. I do not think the question has been properly put to this House; and, before stating it, I will add that I agree fully with the gentleman who occupies the floor, from Pennsylvania, in desiring the appointment of the committee; but still I think he is transcending the limits of debate in going into the question of ritualism. How does the question stand before us? [Order! Order!]

The Rev. Dr. HAIGHT, of New York. Is the gentleman in order?

The PRESIDENT. No, sir. The question has been put, and decided one way or the other; but it is uncertain which way the decision has gone; a division is called for, and we must now take the sense of the House by ascertaining what is the vote of the House, by that division.

Mr. WHITTLE, of Georgia. I submit that I am in order.

The Rev. Dr. HAIGHT, of New York. The gentleman has been pronounced out of order, and he ought to take his seat.

Mr. WHITTLE, of Georgia. Very well.

Mr. SHEFFEY, of Virginia. The gentleman from Georgia will remember that when the Chair puts both sides of the question, debate is closed.

The PRESIDENT. The Chair will divide the House on the question of sustaining the decision of the Chair.

A division being taken, there were—ayes, 19; noes, 138.

The PRESIDENT. The decision of the House is, that the judgment of the Chair is not the judgment of this House. Mr. Welsh will now proceed in order, under that correction.

Mr. WELSH, of Pennsylvania. Mr. Welsh is exceedingly glad of the decision of the House. It is the very decision that he desired from the beginning, but because the House did not make it, he proceeded. The House having decided that the discussion on the whole question is out of order, Mr. Welsh will very gladly take his seat.

The Rev. Dr. NELSON, of Maryland. I wish to offer a substitute for the resolution of Mr. Welsh, of Pennsylvania. You may call it an amendment

or a substitute, I do not care which; I call it a substitute. It is:

WHEREAS, in General Convention in 1868, the House of Clerical and Lay Deputies did request of the House of Bishops, the setting forth of such additional Rubrics in the Book of Common Prayer, as in their judgment may be deemed necessary; and whereas, the House of Bishops have not complied with the above-mentioned request; therefore, be it

Resolved, That the House of Clerical and Lay Deputies do hereby, in reply to message No. 5 of the House of Bishops, most respectfully and affectionately renew the request that our right reverend fathers in God, assembled as the House of Bishops, prepare and propose for the consideration of the House of Clerical and Lay Deputies, some well-digested scheme of such additional Rubrics in the Book of Common Prayer, or such further canonical legislation as, in their judgment, may seem necessary.

I understand that we are precluded from entering into the general question which is before us, and I do not mean to do it. I only wish to say a single word, with regard to the propriety of passing this resolution. You will see at once, from the reading of the resolution, that it is intended to remove this question from this arena, and place it where it can be calmly, quietly, and thoughtfully discussed, in a much smaller body of persons, and by those who, in the judgment of all the dioceses, are best prepared and fitted for the consideration of such points. You will see at once that all that I mean by this resolution is to refer it to our right reverend fathers in God, first, whether any change is necessary; whether that old Prayer Book, that has stood through our history, which has stood here for seventy odd years—a Prayer Book which has been held on the one side in the hands, and gone forth from the heart, through the lips of such men—

The Rev. Dr. PERKINS, of Kentucky. I dislike to do it, but I must rise to a point of order.

The Rev. Dr. NELSON, of Maryland. I simply wish to recommend the passage of my resolution. If I were to make a point upon it, I have no doubt I could prove that I was in order. I am simply showing why it is that I desire to refer the matter from this House now, to the House of Bishops; and if the Chair says I am in order, I will go on with my line of thought.

The PRESIDENT. The Chair is obliged to speak under the correction of the late judgment of the House, and is really at a loss to know what will be in order in this debate. I suppose every question must now be referred to the judgment of the House.

The Rev. Dr. NELSON, of Maryland. All I was going to say was, that I did not know whether any additions or any modifications whatever of the Prayer Book were necessary, and I was simply going to make one single declaration, namely, that this Prayer Book had been used at the same moment by such men as Bishop Moore and Bishop Meade, of Virginia, on the one side, and Bishop Hobart and Bishop Brownell, of the North, on the other side.

The Rev. Dr. PERKINS, of Kentucky. I must insist on the point of order I made.

The Rev. Dr. NELSON, of Maryland. I was going to say that a modest, humble gentleman like myself, was willing to leave this question in such hands as those, and therefore I have no more to say.

Now, sir, all I have to say is, that I hope this House will vote for this resolution unanimously; and showing that they are determined to leave this question where it ought to be left, with our right reverend fathers in God.

The Rev. Dr. McNAMARA, of Nebraska. I second the motion of the gentleman of Maryland, and in seconding it, I will state that the Prayer Book has been abused, as well as used.

The Rev. Dr. MORSELL, of Delaware. I do not know, sir,—I am as perplexed as you are,—whether what I shall say, will be in order or not; but I am opposed to the substitute, and I think it must be in order for a man to give his reasons for opposing a matter, upon which he is called to vote. I am opposed to the substitute, because an application has been made to our right reverend fathers to take this subject into consideration; they have taken it into consideration, and they come back, and ask us to help them to consider it. That clearly proves one thing: that the right reverend fathers find great difficulty in coming to a conclusion upon this matter. I do not wish to be a troublesome child; I do not wish to trouble and perplex our right reverend fathers with such questions. I would wish to keep them out of this House, and out of their House. I think our true wisdom in this matter is to pass neither the substitute nor the original resolution. I might give my reasons, and those reasons might astonish some and offend others. But, sir, I shall oppose the substitute which has been brought before us by the reverend gentleman from Maryland. I think it is entirely better that we put this matter out of the way, and have nothing to do with it in any form or shape.

Mr. CHURCHILL, of Kentucky. As I think the only question before us, is the appointment of a committee, and as I think it very desirable to facilitate speedy action on this subject, as this debate will be in order when the report is made, I move the previous question.

The PRESIDENT. There is no previous question in the rules of this House.

Mr. COMSTOCK, of Central New York. I move to lay the substitute on the table.

The Rev. Dr. GOODWIN, of Pennsylvania. Does not that lay the whole subject on the table?

The PRESIDENT. If we lay a part on the table, we lay the whole.

The Rev. Dr. HALL, of Long Island. As I understand it, the resolution offered by Mr. Welsh of Pennsylvania, on Saturday, was to bring the matter up. If I am correct, the matter has been brought up, and Mr. Welsh's resolution has expired of itself. Now, I ask, what motion is before the House, and what is the form of it?

The PRESIDENT. The gentleman is mistaken. Mr. Welsh's resolution is before the House, and an amendment proposed by the gentleman from Maryland.

The Rev. Dr. HALL, of Long Island. Can there be an amendment to a resolution, which is *functus officio*?

The PRESIDENT. It is not *functus officio*; it is before the House.

Mr. COMSTOCK, of Central New York. I made a motion to lay the substitute on the table.

The Rev. Mr. CLARKE, of Georgia. In order to facilitate the matter, I beg to move, either as a substitute, or as an amendment, whichever be in order.

The PRESIDENT. An amendment is still in order.

The Rev. Mr. CLARKE, of Georgia. I move to amend the resolution of Dr. Nelson, by striking out all after the word "Resolved," and inserting two resolutions, the first of which is,

That the House of Deputies do not concur in the resolution of the House of Bishops, contained in Message No. 5 from that House.

I propose, first, to take the question whether we shall concur in that message, in order that our journals may be kept regular. If the House are disposed to concur in that, they will vote aye; if not, they will vote no. If it be the will of the House, not to concur in the message of the House of Bishops, not to appoint this committee, then I shall propose the following resolution:

Resolved, That this House request the House of Bishops to take definite action upon the report of their Committee on Ritual, and communicate the result to this House for their consideration.

I propose these resolutions, as simplifying the whole matter.

Mr. FARNSWORTH, of Rhode Island. I rise to a question of order. I understood a motion was made to lay this whole subject on the table.

Several DEPUTIES. That has been withdrawn.

Mr. FARNSWORTH, of Rhode Island. I was not aware of its being withdrawn. I heard it made.

The PRESIDENT. Mr. Comstock had not the floor to make the motion. Dr. Clarke, of Georgia, had the floor.

Mr. FARNSWORTH, of Rhode Island. Then I move that the whole subject be laid on the table.

Mr. BURGWIN, of Pittsburgh. I will inquire whether that motion, if it be carried, does not carry the whole subject with it?

The PRESIDENT. It does.

The Rev. Dr. CLARKE, of Georgia. I ask for the reading of my resolution, which has been sent up to the desk to be read.

Mr. BURGWIN, of Pittsburgh. While a motion to lay on the table is pending before the House, no other business is competent to be transacted until that is disposed of.

The PRESIDENT. But that motion ought not to have been made, until the resolution was read by the Secretary.

Mr. BURGWIN, of Pittsburgh. It was made before the resolution was offered,—long before.

The PRESIDENT. Not as heard by the Chair.

The SECRETARY read the resolution offered by Dr. Clarke, of Georgia, as an amendment.

The Rev. Dr. CLARKE, of Georgia. I move the adoption of that resolution.

Mr. COMSTOCK, of Central New York. I submit that that resolution is simply the negative of the resolution already before the House, and, therefore, is not in order.

The Rev. Dr. GOODWIN, of Pennsylvania. I ask for the reading of Mr. Welsh's resolution.

The SECRETARY read the resolution of Mr. Welsh.

The Rev. Dr. CLARKE, of Georgia. That does not propose to concur entirely, but only so far as to appoint the committee by ballot, if we have a committee. The object of my resolution is to have no committee, but to remand the whole subject to the Bishops, that they may send us down their definite action, for our consideration.

The PRESIDENT. I decide that the resolution of the gentleman from Georgia is in order, as an amendment to the resolution to which it is offered.

The Rev. Dr. GOODWIN, of Pennsylvania. I think all these attempts at different resolutions eventually converge upon the same point. The question is really, shall we, or shall we not, concur with the House of Bishops in the resolution which they sent down to us, asking for a joint committee on a certain subject; and what I have to say I shall endeavor to bring to bear directly upon that point, whether we shall concur with that request of the House of Bishops.

The history of the case has already been given several times, and it would seem to be unnecessary to add a word to bring that history in all its bearings, before the mind of every member of this House; and yet it has been given in order to reach, to my mind, the strangest and most contradictory conclusions. Therefore, I must ask the patience of the House while I again refer to the points of the history bearing upon the precise question, shall we concur in this resolution of the House of Bishops?

We had a certain question before us at the last Convention. It was a very troublesome question. We discussed it, and we could come to no satisfactory conclusion upon the subject. We therefore passed three resolutions, which have been recited, sending this subject to the House of Bishops, among other things and before all things, with a certain request that they would appoint a committee of their own body to take the subject into consideration, and prepare such changes in the Rubrics as might meet the exigencies of the case. I suppose that that expressed the true wish and purpose of this House. That went to the House of Bishops, and they complied with that request of this House. So far, the proceeding is all courteous, it seems to me; it is all straight, and there is a fair proposition before the House.

They complied with our request. They appointed a committee, and that committee has reported, and they have sent the report to us. It is a report made in common to them and to us. Upon that report, instead of suggesting certain changes in the Rubrics, they declare that in their opinion such changes are not expedient, and they desire a Joint Committee to be appointed to carry out the purpose of this House in a certain way, namely, by certain Canonical regulations, if such committee find that such Canonical legislation is expedient.

Now, then, Mr. President, the whole business is taken out of the arena of debate in this House really.

The whole subject is not before us for debate. We are asked to allow it to go to a Joint Committee. The real point of dispute is, whether the proper relations of these two Houses be such, that when we have made this request, and the Bishops have complied with it with a modification, and instead of going on themselves to prepare changes in the rubrics or changes of Canon, ask us to help them in this work, it is proper now that we should comply with that request of the House of Bishops, or whether we should refuse and say, "You must do exactly that which we asked you to do, and we will have nothing at all to do with it." Sir, do we really desire to have anything done? Did we really desire to have anything done, when we sent our request to the House of Bishops? If we really desired to have anything done, if we were honest in that request, can we turn around and say now, "You must do it just so, or we will have nothing to do with it?"

Mr. President, if the House of Bishops should do just what is requested of them in this last resolution, it is almost exactly what was requested of them before, and it is as much as saying: We made a certain request; you have made a proposition to us to carry out the purposes of that request, but we will have nothing to do with your proposition; we insist upon the original terms with only this change, namely, that now it is proposed that there may be canonical changes as well as, or instead of, rubrical changes.

Some alarm seems to be felt as if the Prayer Book, and its sacredness were involved. No man holds the Prayer Book—is that out of order?—more sacred than I do. But I call attention to the fact that, as the proposition is before us it is precisely to save the sacredness of the Prayer Book; it is that the Bishops have not thought fit to meddle with the Prayer Book; they as much as tell us so; but ask for a committee to look for canonical regulations. Let us remember then that that reason, a regard for the sacredness of the Prayer Book, cannot be urged as a reason for not concurring with the Bishops and for sending to them certain other resolutions.

They have pointed out to us a way in which it seems possible that it should be done, though not the way we had suggested, and yet they are in doubt whether it can or ought to be done in that way, and they come to us and say, that they consider it a matter of such grave importance that they desire in the preparation of the subject to have the counsel of the House; and if we are in earnest and wish something done, shall we say no? They ask for the counsel of this House.

I ask the gentlemen of this House, are we ready to say, "We will have nothing to do with making Canons of this Church, on the most important subjects; they are altogether above us; we will have nothing whatever to do with it; you make them and we will submit." If you are ready to say that, very well; that facilitates matters, I admit. But if you are not willing to say that, then when they have made such a well considered and digested scheme, if we shall undertake to consider it and redigest it in any manner and way that seems good to us, it is a long business before us then again. Is it better that it should come simply from the House of Bishops and their discussion, in order to be prepared for such consideration of ours as must then take place, or that it should come from the House of Bishops upon joint consideration with a committee, carefully selected from this House, jointly to consider it with them, and prepare a well-digested scheme for our consideration?

Mr. President, if this House is sincere in desiring that the subject should be carefully considered, and if any remedy can be found, that that remedy should be applied, the direct and simple course is to concur with the House of Bishops, and let this whole matter go out of our discussion at present, and after it has been thoroughly considered and carefully matured by a joint committee, then it will come to us, and I trust will not provoke one half the discussion that it has provoked now.

Mr. BATTLE, of North Carolina. Mr. President, I assure the members of the House, that I shall detain them but a few moments. Mr. President, when we see the excitement here, we are reminded of the language of one of the most beautiful poets known to us:—

"For even in the tranquildest climes,
Light breezes ruffle the flowers sometimes."

Now, sir, what is the question? A very plain one. The Bishops have sent to us a message, stating that without a committee on the part of this House, to act with a committee on the part of their House, they cannot respond to a question upon which we asked their advice. Now, sir, if I understand the proposition of the reverend gentleman from Maryland, it is that we shall send back to them, and say the same thing to them again, "You must settle this question for us." Are we to be called on in this way, to ask the Bishops to stultify themselves? Are we not to suppose that, when they said they could not do it, they said so in perfect candor and truth? If we send it back with the proposition of the gentleman from Maryland, we shall say to them, "We do not believe you; you can settle this if you choose, though you said you could not." Is that respectful? Is it proper? I concur entirely with the reverend gentleman from Pennsylvania, that the shortest way to get clear of this question is to respond affirmatively to the proposition of the Bishops; let this joint committee be appointed; let them consider this whole question, and in all human probability, it will be settled to the satisfaction of us all.

The Rev. Dr. WILSON, of Central New York. I wish to say a word in favor of the motion for concurrence. I do not understand that our Bishops have told us that they cannot agree; but if we may be permitted to surmise a motive, especially when that is in the direction of charity, I would suggest that they felt and thought, as we should feel and think, that any measure which may be proposed to this Convention, coming from a committee in which not only the House of Bishops, but this House was largely represented, will come with a moral force of the Church, that it can have come in no other way. I think every member of this Convention must concur in that opinion. Therefore, I am in favor of the resolution in its original form, that we concur and appoint a committee; and I would suggest, moreover, that this committee be somewhat large, that we may have an extensive representation of the various shades of opinion, for certainly there are various shades of opinion, and of the various local interests, if there are any such (I do not know that there are), on this committee. This you will certainly secure by having a large committee, and not so well by having a smaller one. And although I suppose, if we go into a vote, we can hardly secure an election upon the first ballot, yet I would suggest to the consideration of the Convention that, after having taken the first informal ballot, it be declared that in the order of clerical members, the mem-

ber who has the largest number of votes shall be declared first elected, and the second, second elected, and so on; and the same method with regard to the laity. In this way you will secure a representation of a minority, and of every interest and every party that can be represented, or has any right to be represented in such a committee. With these words, I leave the discussion.

The PRESIDENT. The resolution offered by the Rev. Mr. Clarke, of Georgia, is the amendment before the House, that we do not concur. That is the first question.

The Rev. Mr. MEAD, of Connecticut. I have a word to say on that subject again, and it is simply to put the House right in regard to our position on this question. I began to state the facts, but I was ruled out of order. The House, however, saw fit to say afterward that I was in order, and they have been debating this question ever since, on the principles I have laid down. Now I wish to state to this House, so that every one may understand clearly the position in which we stand. You will find on the 270th page of the journal of the General Convention of 1868, being the journal of the House of Bishops, thus:

"The following message from the House of Clerical and Lay Deputies was received and read:

"Message No. 78."

"NEW YORK, Oct. 28, 1868.

"The House of Clerical and Lay Deputies informs the House of Bishops, that it has adopted the following resolutions:

"1. *Resolved*, That the House of Bishops be requested to set forth for the consideration and adoption by the next General Convention, such additional Rubrics on the Book of Common Prayer as in their judgment may be deemed necessary.

"2. *Resolved*, That meanwhile in all matters doubtful, reference should be made to the Ordinary, and no changes should be made against the godly counsel and judgment of the Bishop.

"3. *Resolved*, That copies of the reports of the majority and the minority of the Committee on Canons, be transmitted to the House of Bishops."

On motion, of the Bishop of Maryland, it was

Resolved, unanimously. That the House of Bishops affectionately informs the House of Clerical and Lay Deputies that in the full trust that the spirit of the second of the three resolutions communicated by that House in its message No. 78, will be carried out in the action of the clergy and laity of the several dioceses, and missionary jurisdictions of this Church, this House deems it unadvisable to enter upon any alteration of the Rubrics of our book of Common Prayer by the insertion of additional matter; but that it will appoint a committee, whose duty it shall be to consider whether any additional provision for uniformity by Canon or otherwise, is practicable and expedient, to report to the next General Convention.

In this you will observe that the House of Bishops declined to act on that which we sent to them, and proposed action on another point. Now, let us see. On the 167th page, Journal of the House of Deputies, we find this:

"MESSAGE NO. 5.

"NEW YORK, October 29, 1869.

"The House of Bishops informs the House of Deputies that it has adopted the following resolution:

"*Resolved, unanimously*, That the House of Bishops affectionately inform the House of Clerical and Lay Deputies that, in the full trust that the spirit of the second of the three resolutions communicated by that House in its message, No. 78, will be carried out in the action of the Clergy and Laity of the several dioceses and missionary jurisdictions of this Church, this House deems it unadvisable to enter upon any alteration of the Rubrics of our Book of Common Prayer by the insertion of additional matter, but"—this is their proposition to us—"but that it will appoint a committee, whose duty it shall be to consider whether any additional provision for uniformity, by Canon or otherwise, is practicable and expedient, and to report to the next General Convention."

It is a general rule that, when a proposition is made which ought to be responded to, directly or indirectly, silence gives consent. The House of Deputies in silence received this proposition. We did not negative it; we did not non-concur with the House of Bishops in relation to it. The House of Bishops went on, and appointed a committee to transact the business *ad interim*. The committee have had, I know, several meetings at great trouble and expense. They make a report to their constituents, who, as a part of the General Convention, ask us to appoint a committee of our House to join a committee of theirs, to consider that report. Now, I contend that, under those circumstances, it would be a gross act of discourtesy and injustice to throw it back before the House of Bishops, as I believe the gentleman from Maryland proposes, and to say, "We want you to go through the same piece of tomfoolery again." I hope our House of Bishops understand themselves better than to be thus treated. Under the circumstances, I fully agree (and I set it forth at the beginning), that we have nothing to do but to say we concur or non-concur. If we non-concur, there is an end of it; if we concur, we must stand up and say how we shall appoint the committee. But to undertake any other action than a direct vote on concurrence or non-concurrence, is, I think, preposterous; and if we non-concur, there is an end of the matter; no further message will come from the House of Bishops on the subject, I will guarantee, and this House, I presume, will not undertake to meddle with edged tools again.

The Rev. Dr. BEARDSLEY, of Connecticut. Mr. President, the motion of the lay gentleman from Pennsylvania, although an affirmative one, does not seem to cover the whole case. To that motion an amendment has been offered by a clerical delegate from Maryland, and again an amendment by a clerical delegate from Georgia. Now I offer, Mr. President, a substitute for the whole matter before us, and my substitute will cover all the points which have come out in this discussion, excepting the merits of the report. I will read my substitute for the information of the House. I have no speech to make. I put it before them, and am confident that it will be adopted at once:

Resolved, That this House concurs in the resolution contained in message No. 5 from the House of Bishops, asking for the appointment of a Joint Committee to consider the report on Ritual Uniformity, sent to this House with said message.

Resolved, That the committee on the part of this House consist of five presbyters and five laymen, to be nominated to this House by a committee of three clergymen and two laymen, which nominating committee shall be elected by ballot.

The Rev. Dr. MEAD, of Connecticut. I second that motion.

The Rev. Mr. CLARKE, of Georgia. I desire to say that in the resolution I moved, I intended no disrespect to the House of Bishops. The House of Bishops, as I understand, are willing to be aided by this House in coming to a conclusion on this matter. The purpose of my amendment to the resolution of the Clerical Deputy from Maryland, was to show that I had such confidence in the House of Bishops that I felt it every way proper that they should arrive at some definite conclusion upon this matter, whatever that might be, ever so little or ever so much, and then send it down to this House in such form as they might deem advisable, and then this House would act upon it, concurring in their action or non-concurring in it. I yield to no man in my deference or respect to the Bishops individually, or as a House of Bishops, and I intended my action not as flinging back and saying we were dissatisfied with what they had done, but as saying, "We are so far satisfied with what you have done, that we are willing to have the whole matter go back into your hands, and allow you to perfect your action as you will." Then when it comes down to this House, the Clerical and Lay Deputies from the different dioceses can arrive at such conclusions, and take such action as their duty to Christ and His Church shall seem to them to demand.

Mr. LESESNE, of South Carolina. Mr. President, no reason has been assigned satisfactory to my mind why this subject, which must eventually come before this body for discussion and consideration, should not come as favorably through the report of a Joint Committee, as from the direct action of the House of Bishops. The Clerical Delegate from Maryland has said that excitement will be avoided, and it can be discussed before a smaller body, to wit: the House of Bishops. I take it that the House of Bishops have in good faith asked for the assistance which they say they require, and I, for one, will not by my vote withhold that assistance.

The Rev. Dr. ADAMS, of Wisconsin. Mr. President, I perfectly agree with the resolutions brought forward by Dr. Beardsley, of Connecticut, except in one instance. I never like Nominating Committees. I dislike the idea of a Nominating Committee of three presbyters and three laymen, appointed to nominate to us another committee of five presbyters and five laymen, which committee we have the power of rejecting. That nomination seems to be a strange business. I think that this house has sufficient

judgment and information with regard to the members composing it, to vote for the committee on the nomination of any presbyter or layman who pleases to nominate, and I think that after all, by omitting this matter of a sixfold Nominating Committee on another tenfold committee, that we shall get at a result a great deal better and quite as quickly as by this manner.

The Rev. Dr. BEARDSLEY, of Connecticut. I am not strenuous on that point; I was only following the example of the Board of Missions.

The Rev. Mr. HANCKEL, of Virginia. I call for a vote on the first resolution.

The Rev. Dr. ADAMS, of Wisconsin. I have the floor.

The Rev. Dr. HARE, of Pennsylvania. I rise to a point of order. We have a rule of order relating to dividing questions. A single member has that right.

The PRESIDENT. When he can get the floor, but Dr. Adams has the floor now.

The Rev. Dr. HARE, of Pennsylvania. But before Dr. Adams took the floor, the request had been made by a member that the question might be divided.

The PRESIDENT. I did not hear it.

The Rev. Dr. HARE, of Pennsylvania. May that rule of order be read?

The Rev. Dr. ADAMS, of Wisconsin. I wish to know whether, in case I concede that the first question be taken now, the Chair will give me the right to speak on this motion.

The PRESIDENT. When you can get the floor.

The Rev. Dr. ADAMS, of Wisconsin. I have the floor now. I have known a good deal of Nominating Committees—

The PRESIDENT. That is withdrawn.

The Rev. Dr. ADAMS, of Wisconsin. If it is withdrawn, very well.

The Rev. Dr. BURGESS, of Massachusetts. I wish to call the attention of the Rev. Deputy from Connecticut who has offered the resolutions, and of the House, to the fact that if it passes the first resolution, it pledges itself to a committee of three clergymen and three laymen. ["No." "No."]

The Rev. Dr. BEARDSLEY, of Connecticut. There is no number mentioned.

The Rev. Dr. BURGESS, of Massachusetts. The House of Bishops have sent down to us a joint resolution in which they propose that we shall have a committee of three presbyters and three laymen. ["No." "No."]

The Rev. Dr. MEAD, of Connecticut. No, the gentleman is speaking of a report of a committee to the House of Bishops, and the misfortune has been that that report ever came into this House, until we had settled the question of concurrence. That paper is not before us at all.

The Rev. Dr. BURGESS, of Massachusetts. I do not precisely understand it; but I suppose I am incorrect.

Mr. McCRADY, of South Carolina. Mr. President, everything that comes before this body is serious. I believe this is a serious question, and I see no

reason on earth why we should check debate. What do you gain by checking debate? Nothing. When men have spoken out, they are always more ready to act together and to come to conclusions that are kindly. Now, Mr. President, I differ entirely from the gentlemen who are afraid of sending this back to the Bishops. I do not believe that you could do a more respectful act than to do it in the proper manner. None of these resolutions, possibly, may come exactly up to that mark; but if we were here to declare to the Bishops, "We have received your message to us showing your willingness to confer with us in joint committee; but at the same time, with the same feeling which prompted the action of 1868, we now go back to you, and say we have that confidence in you that you can best prepare that for our action, which will lead us to a just and speedy conclusion." That is exactly what we did in 1868. But has the case been stated as it truly is, by my friends? I think not, although I know they stated it as they saw it. What was the action of the House of Bishops in answer to our action? It was this. They told us, "We will appoint a committee who shall report to the next General Convention,"—mark that,—not to the House of Bishops, not to the House of Clerical and Lay Delegates, but to the Convention. When that report came up, could the House of Bishops withhold it from us? No. They themselves had appointed a committee to report to this Convention. Could they withhold the report from us? Not so. They would be bound to send that report to us; and that report is made to us, as well as to the House of Bishops. That was the language of this resolution accepted by us. Now that we have a report from those five Bishops who have prepared a report, it is to us as well as to the House of Bishops. They could not have withheld it from us. They were bound to send it here and say, "We notify you that we have a report from a committee of our House for the Convention; here is that report," and have put that report before us. Gentlemen say we must not allude to it.

Why, sir, it is our report, and the question is whether we shall send it to a joint committee, or whether we shall debate it here; or send it to one of our own committees. That report is made to the Convention. Both Houses are to act on that report. The Bishops come to us and say, "We will not act alone on that report, without your consent." It is proper that they should do so. They could not have done otherwise. They never have sent it to us, to say that we must appoint a joint committee, but they have sent it to us, and said to us, "Here is the report, which we said we would have for this Convention; it is now ready for you. What action will you take? We suggest—the most respectful suggestion they could make—"that it be referred to a joint committee." Now, where is the disrespect of those who say to the Bishops, "We acknowledge your courtesy; you were right in sending the report to us, and you were right in offering this Joint Committee, but, nevertheless, the very same motive which moved us in 1868 induces us now to act as we did then." I am carrying out the intention of the Convention of 1868. As it was a measure of peace then, so I maintain now it is a measure of peace. Let us carry out what we then resolved on, that we would ask the House of Bishops to give us something that we could act upon definitely, without having to go through the whole subject ourselves; that we would have definite propositions before us, and when they were before us, we could say

quietly whether we would accede, or whether we would not accede to them.

But here, if you choose this Committee, are you sure that it will not be a one-sided committee? The Bishops may choose theirs, and that Committee may represent their views. The difficulty is in the appointment of that committee. In a time of peace and quiet, a committee of this kind might do very well; but in a time when men's minds are stirred and agitated, they see nothing as the truth is, before their eyes, but everything distorted. Are you sure that you can get a committee which will not be entirely one-sided? I stand in a position where I happen to have no side. I do claim that these schools carry things too far. I think the illustration of the Bishop of Lichfield, when he spoke of the scouts last night, was very forcible. Am I in order, Mr. President?

You will observe that the subject-matter before us is our report, a report made to us. Now, the question is on the reference of that report; and whether we shall adopt it without a reference, is always involved in a question of reference. You cannot separate them. Suppose I say that I object to a reference to any committee, because I want to adopt it now, and send it to the Bishops and ask them to concur; is not that legitimate action? Is not that a proper course for us to pursue? But when you say, "Do not let us act on it ourselves now, but let us send it to a committee," are you to send it without knowing what is in it; are you to send it blindfold; or are you to send it with an understanding of what you are doing, knowing what matter you are committing to a committee?

So far, I think, the Rubrics and the Canons are included in the subject which we have before us. How you can avoid the idea which they convey, it is rather inconceivable to me.

But, still, I was going to speak of what the Bishop of Lichfield had said. He spoke of the scouts that went out from the army—another analogy which struck me was that of pickets. They sometimes meet those of the enemy and interchange. I have no doubt there is a great deal in this idea, that many of our friends, when they meet the pickets of the other side, think they will bring them in. I have no doubt that both sides are as desirous of extending the Church, as any of the insiders and the central people; but they take different ways of doing it. They are very anxious. Those who are soberly in the centre may not see the wisdom of the movements of either; and at all events, as he said, there is a time when the clarion shall sound and call them in, and let them come in, and let us tell them that they are going too far.

There was another illustration which he made which struck me very forcibly. I know of nothing more appropriate than that beautiful illustration of the magnet. He portrayed how it might be erratic; and it is a singular thing that the magnet rarely or never points directly to the pole, and day by day it has its diurnal variations. It is never still and quiet, pointing in one solitary direction, without a tremor. No, its motion is tremulous forever; and day by day as the sun rises and sets, so that needle shakes and moves. Not only so, but that needle will, in the course of years, mark a larger arc. Now it will sweep to the east until that *fiat* comes from above and says, "Thus far shalt thou go and no farther." Then it pauses and takes its way back again until it comes to that fixed point, the North, and then again it sways until it meets that power again. That is the power which God has given to His works on earth. The invisible power that draws that needle, and makes it describe its course

which we see before our eyes,—that same power is at work in the hearts of men and of our Church. We will not stand still, but we will ever point toward the North, and point with sufficient directness to guide the mariner to make all sail whither he would go. Every one knows how to reach the point he is aiming at.

Now, Mr. President, it requires power to stop that magnet, and it requires a power to stop the straying away of our own people. That power must be in the Church; it can reside nowhere else, it must be there or nowhere. At this time it would seem as if our magnet had by a perversity traversed different directions and had reached different points. Now we must recall it from both to come back to us again. How is that best done? That is the point. It was the purpose of our action in 1868, the purpose which we have in view now; but how shall that best be done? Here is the question before us now, shall we commit this to a standing committee after an election, or shall we say to the Bishops, "We are in earnest; you were right in sending to us and giving us the opportunity of going into a committee with you; but now that you have done that, we reiterate that we want your advice; we say again to you, act, be not afraid of us; you can deliberate, you know, in every diocese what you have to complain of, what you have to bear, what you have to correct. Discuss the matter with yourselves, for you sit with closed doors. When you have reached the result of that discussion, when you have determined precisely what ought to be done, come back to us, tell us what you think, lay the plan before us, and we will respond to you at once."

VOTES BY ORDER.

A message (No. 13) was received from the House of Bishops, announcing that that House had passed the following resolution:

"*Resolved*, That this House concurs in the proposed amendment to article 2 of the Constitution proposed to this House in message No. 6, from the House of Clerical and Lay Deputies, omitting the word "and," and inserting "or" between the words "Clerical" and "Lay."

DIOCESE OF ARKANSAS.

A message (No. 14) from the House of Bishops announced that that House had passed the following resolution:

Resolved, That this House concurs in the resolution communicated to this House in message No. 7, from the House of Clerical and Lay Deputies, consenting to the admission of the Diocese of Arkansas into union with the General Convention.

The names of the deputies from Arkansas were thereupon entered on the roll, viz.:

CLERICAL DEPUTIES—The Rev. Messrs. C. A. Bruce, R. W. Trimble, W. C. Stout, T. J. Beard.

LAY DEPUTIES—Messrs. John T. Jones, Allan Ramsey, John Wassell, and R. V. McCracken.

RITUAL UNIFORMITY.

The House resumed the consideration of the order of the day.

The Rev. Mr. MORGAN, of Iowa. I rise on behalf of a large number of members of this Convention, who are impatient for the question before the House. We feel that the question is an important one; but the occasion for immediate debate and long debate, we fail to see. Our Right Rev. Fathers have sent to us a request concerning a very grave question. We think the House should proceed at once to signify our concurrence in the request made by the House of

Bishops, and I think we shall, all of us, find ourselves prepared in as sober and dignified a way as is becoming such a body as this, to proceed at once to meet the question and pass upon it, and send the committee as requested by the House of Bishops. I call for the question.

The Rev. Dr. JACKSON, of Connecticut. If the House is ready for the question now, I have not a word to say; otherwise I claim the floor.

[Question! Question! Question!]

The PRESIDENT. The question is on the first resolution of the substitute offered by the deputy from Connecticut (the Rev. Dr. Beardsley), which will be read.

The Secretary read as follows:

Resolved, That this House concurs in the resolution contained in message No. 5, from the House of Bishops, asking for the appointment of a joint committee to consider the report on Ritual Uniformity sent to this House with said message.

The resolution was agreed to.

The PRESIDENT. That resolution is adopted as a substitute for the one that was before us previously. The second resolution has been withdrawn, I believe.

The Rev. Dr. BEARDSLEY, of Connecticut. No, sir.

The Rev. Dr. HOWE, of Pennsylvania. I move that the resolution as amended be adopted.

The motion was agreed to.

The second resolution of Rev. Dr. Beardsley was read, as modified, as follows:

Resolved, That the Committee on the part of this House consist of five presbyters and five laymen, to be elected by ballot.

The Rev. Dr. CLARK, of New Jersey. I hope the gentleman will amend that, so that we can have a nominating committee appointed by the Chair.

The PRESIDENT. No, not by the Chair.

The Rev. Dr. CLARK, of New Jersey. A nominating committee.

The PRESIDENT. That would be just the same as to appoint the other. ("Question," "Question.") The question is on the adoption of the resolution just read.

The Rev. Mr. HANCKEL, of Virginia. Is an amendment in order?

The PRESIDENT. I think not.

Mr. SHEFFEY, of Virginia. I may be enabled to relieve the House from its embarrassment, by simply stating that the Chair decided correctly that the proposition by way of substitute for the entire matter, when finally adopted, was the agreement of the House in response to the message of the House of Bishops as an entire thing. I understand now that the clerical member from Connecticut offers an additional independent resolution, to carry out what we have already accomplished by concurring in the request of the House of Bishops; that is to say, that the House of Bishops be informed that this House will proceed to the election of a joint committee of five clergymen and five laymen; but that message will not go until we have selected that committee. This is a preliminary move of the gentleman from Connecticut to institute the means by which we shall organize a Committee, and when we have organized that committee we shall then inform the House of Bishops of the fact that such a committee has been appointed. We may communicate to the House of Bishops now, that we have concurred with that body in its request, and we

might add respectfully, "and will hereafter inform the House of Bishops when this House has appointed the appropriate committee." That would be the proper message; but it may be that we shall not select the committee until to-morrow. If so, we shall then inform the House of Bishops that we have selected a committee consisting of five laymen and five clergymen, so that the proposition now is, this other matter having been disposed of, an independent resolution for the purpose of giving effect to the action that we have already had.

The Rev. Mr. HANCKEL, of Virginia. To that I propose an amendment.

The PRESIDENT. An amendment is in order then.

The Rev. Dr. HANCKEL, of Virginia. In lieu of the election by the House of this committee, I offer the following amendment: strike out all after the word "Resolved" and insert:

That the Committee on Canons do constitute the joint committee on the part of this House called for by Message, No. 5, of the House of Bishops.

And I will give my reasons. In the first place as a finality, canonical action is contemplated, and therefore ultimately the matter must be referred to our Committee on Canons, and what they are to consider at the end, they might as well be the parties to consider at the beginning of the whole discussion. So much for the positive argument. Negatively, I advocate this amendment, first, because a great deal of time will necessarily be consumed in the constitution of this committee by election. Whether we are to adopt the course of a nominating committee, which nominating committee has first to be elected by this body, or we go directly into the election of a committee to consist of five clergymen and five laymen, ours must be an exception to all legislative proceeding, if it does not involve the consumption of several days. We have not the time to spare.

Again, sir, I advocate it on yet another ground. The Chair has already indicated its unwillingness, an unwillingness at which I am not at all surprised, to assume the responsibility of appointing this nominating committee; it would be tantamount to appointing the committee of five presbyters and five laymen. It would be subject to all the exceptions suggested yesterday, that it would wear the aspect to the Church at large of being a packed committee.

Again. Suppose we adopt the other course and go into an election of five clergymen and five laymen. The same objection in the judgment of the Church at large might obtain here. The *argumentum ad invidiam* therefore, would apply here in full force.

Now, sir, I want the matter settled. I say then accept a committee already instituted, as our Committee on Canons is, chosen without any reference to this matter, and get the proper committee to consider it, and we shall act with our eyes open, knowing who are the members of that committee. Let us, as a Convention, say whether or not, we can confide this matter at least of conference, to this already constituted committee, and when they come back here to us with their report, the subject-matter of that report will be still open for discussion, and we shall not have been precluded from any liberty or franchise to which we, as a House, are entitled. I urge the adoption of this amendment.

The Rev. Dr. FRANKLIN, of Indiana. Mr. President, I hope the motion of the gentleman from Virginia will prevail, for reasons that he has not himself stated. I belong, as I usually do, to the minor-

ity on this and every other question [laughter]; but I am very happy to leave this matter in the position where it has been for three years. If in the natural operation of this question, if in the healthy action of the Church in the course of three years, we can have upon the subject-matter involved, such a marked and valuable conversion as we have seen already on this floor, we are perfectly willing to leave the whole matter where it now stands, and I advocate the motion of the gentleman from Virginia, because in my opinion this matter, if committed to the Committee on Canons, will be consigned to "the tomb of the Capulets." [Laughter.]

Mr. JUDD, of Illinois. I desire upon this proposition to submit a few remarks. It has been stated by several gentlemen on this floor, that the appointment of this committee by the action of the House involves contemplated canonical action. If I had supposed this, I should have felt myself called upon to oppose concurrence in the message of the House of Bishops for the raising of this committee. I, for one, do not believe that this action of this House involves any such contemplated action,—that is, legislative action,—by this General Convention. I, for one, shall be opposed to any legislative action as dangerous, as hazardous to the interests of the Church, and to the interests of the Blessed Redeemer: but being willing that there should be a conference in committee of the two Houses, I have raised no objection thus far. I think that it is proper that there should be this conference, and that perhaps healthy action may come from it, or healthy non-action be recommended.

But, Mr. President, I think that in the matter now before this House, it will be best for us to make haste slowly. If we take time to consider, to reflect, we may come to a determination that shall give satisfaction to this Convention and to the Church in this country, and with a view to further reflection upon the matter (for as at present advised I am not satisfied whether it will be best to refer it to the Committee on Canons as a portion of the Committee of Conference, or to raise a separate committee), for the purpose of giving time for further deliberation as to what course ought to be taken in raising this committee, I move that the subject be postponed until 12 o'clock to-morrow.

The PRESIDENT, *pro tem.* (the Rev. Dr. Haight, of New York, in the chair). The gentleman from Illinois moves the postponement of the subject until 12 o'clock to-morrow.

The Rev. Mr. HANCKEL, of Virginia. There is a special order for to-morrow at 12 o'clock, the election of a committee to act with the committee of the House of Bishops, to nominate a Board of Missions.

I rise, Mr. Chairman, to disclaim the aid of my reverend brother from Indiana (the Rev. Dr. Franklin.) "Save me from my friends." He seems to have forgotten one very material thing—that a minority do not usually keep the keys of the tomb of the Capulets [laughter], and that a majority therefore, whether a minority will or not, may consign any matter they please to the tomb of the Capulets; and for the life of me, I cannot see how this whole matter is more likely to reach that consignment through the process which I propose to the Committee on Canons, than by a committee elected by this body. We know already that the Committee on Canons is so constituted that the minority are represented upon it and will have a hearing, and

that they will have a hearing in this House as well as in the Committee of Conference, if, in no other way, if needs be, by a minority report. But, sir, I trust in God, such will not be the result, and I do trust that we may arrive at the decision of consigning this to the Committee on Canons, and thus escape an exciting election—an election which will be attended with all the excitement, if not more than that, incident to a discussion of the subject on its merits, so that we shall have to go twice, instead of once, over the same field. I call for the question on the reference to the Committee on Canons.

The Rev. Dr. McNAMARA, of Nebraska. I move that the committee of five, provided for by the resolution of the gentleman from Connecticut, be selected from the Committee on Canons.

The PRESIDENT, *pro tem.* That is out of order. The question is on the motion of the gentleman from Illinois, to postpone until to-morrow at 12 o'clock. A reason has been given against that, but that is the motion before the House.

The Rev. Dr. HARE, of Pennsylvania. I am desirous that the rule of the last Convention in regard to the order of the day, should be read, for, unless I mistake, it provides that when an order of the day has been fixed, it shall require two thirds to change the order. The order of the day for to-morrow at 12 o'clock, is the election of another committee.

Mr. JUDD, of Illinois. If the gentleman will allow me, I will remove that difficulty by moving that the hour of one o'clock be fixed instead of 12. I understand now, as I did not understand before, that the hour of 12 o'clock to-morrow is set apart for another purpose.

Mr. STEVENSON, of Kentucky. In order to get rid of this question, I move to lay the motion to postpone on the table.

The Rev. Dr. GOODWIN, of Pennsylvania. Does not that carry the whole subject with it?

The PRESIDENT, *pro tem.* I am not certain as to that.

The Rev. Dr. HARE, of Pennsylvania. That is provided for in the rule, I think.

Mr. SHEFFEY, of Virginia. A motion to postpone the subject covers the subject. A motion to lay the motion to postpone the subject on the table, carries the subject with it, if it prevails. I therefore say that the gentleman cannot reach his object in that way. In the House of Representatives of the United States there is allowed a separation of these motions, but not under our rules.

Mr. STEVENSON, of Kentucky. Then I withdraw the motion.

The PRESIDENT, *pro tem.* The question now is on the motion to postpone until to-morrow at one o'clock.

The Rev. Dr. SCHENCK, of Long Island. I have not heard any reason given why the House should postpone the question until to-morrow. If there is any good reason why the question should be postponed until to-morrow, I am very willing to postpone it; but after having spent most of the morning in discussing the main proposition, and having decided that we would concur with the House of Bishops and appoint a committee, and nothing being left to us but merely to regulate the

method by which that committee should be appointed, it seems to me scarcely worth while that we should now, an hour and a half before the time of our regular daily adjournment, break right in upon the continuity of this business and throw it over until to-morrow, when the whole *gravamen* of this question has been disposed of, and it is merely a matter of detail that remains to us.

The PRESIDENT, *pro tem.* The question is on the motion to postpone.

The motion was not agreed to.

The PRESIDENT, *pro tem.* The question recurs on the motion of the gentleman from Virginia.

The Rev. Mr. EGAR, of Pittsburgh. I simply rise to move an amendment to the proposition of the gentleman from Virginia, who proposes that the committee shall be the Committee on Canons, that instead of the Committee on Canons, it be the Committee on the Prayer Book.

The PRESIDENT, *pro tem.* The amendment is to strike out the words "Committee on Canons," and insert the "Committee on the Prayer Book."

The Rev. Mr. HANCKEL, of Virginia. No change is proposed in the Prayer Book, but in the Canons, and I do not see the appropriateness of that reference.

The Rev. Mr. EGAR, of Pittsburgh. I have the floor, and I will simply give one reason. The whole subject-matter of the report relates to the mode, as I understand it, of using the Prayer Book; and, therefore, it seems to me that if one of the Standing Committees of the House is to be appointed a Committee of Conference, the Committee on the Prayer Book is the competent committee. The report of the Joint Committee will be referred to the Committee on Canons anyhow, and the Committee on Canons will have opportunity to consider it in making their final recommendation, that it shall be passed as a Canon or otherwise. I, therefore, simply move as an amendment to this section, if it is to be referred to any of the Standing Committees, that it be to the Committee on the Prayer Book; that is to say, that the Committee on the Prayer Book be the committee of conference on the part of this House.

The Rev. Dr. McNAMARA, of Nebraska. The Bishops have informed us that they will appoint a committee of five Bishops. We cannot appoint on this committee, it seems to me, so large a committee as either the Committee on Canons, or the Committee on the Prayer Book. The action of the House of Bishops seems to me to indicate to us the number of presbyters and of laymen that we should appoint; and in order to facilitate the action of the House and save time, I suggest to the gentleman from Virginia that he should modify his motion, so as to provide that a committee of five presbyters and five laymen be selected from the Committee on Canons by ballot.

The Rev. Dr. BEERS, of Wisconsin. I rise simply to suggest that it seems to me the original direction the matter was taking, was a wiser one than that direction which would be inaugurated by making either the Committee on Canons or the Committee on the Prayer Book the Committee

of Conference, and for these two reasons: first, that the Committee on Canons was appointed for an entirely different purpose, and that is true of the Committee on the Prayer Book, also; and second, that both these committees are very much occupied and crowded with business, especially the Committee on Canons. I suppose it is perfectly evident, from the amount of interest excited by the discussion in relation to this question, that it is second to none in importance and interest that can be named, or that will come before this House; and therefore, the Committee of Conference with the House of Bishops, to which it is referred, ought to be a committee that is burdened with no other business, so that it can give its whole attention, and all the time at its command, to the examination and preparation of some proposition or measure to be brought before this House for its action. Therefore I favor the first resolution, to which the amendments have been offered, that a committee of five clergymen and five laymen be elected by ballot by this House, as it is a Committee of Conference, and I am opposed entirely to the idea of tying up that selection to any class of men, or to any previous committee. Let the selection be an entirely free one, and then we shall get at the sentiment of the House.

Mr. RUGGLES, of New York. I have listened with great attention to this important debate, having for its great object the allaying of differences that now prevail in the Church. Mr. President, I belong to no particular party in this Church. We laymen are not much apt to form ourselves into parties on these ecclesiastical questions. We seek the good of the whole Church in its entirety. We were placed here by the Constitution especially for the purpose of securing the prosperity of the whole Church. We represent in this Church what is represented in the British Church by the Government of England—that is, the lay element in the British Church—and it is our duty, representing the whole vast population of this country, to see to it that the Church comes to no harm. Above all, that it shall not be rent by schisms,—by foolish, needless, whimsical, unnecessary—

The PRESIDENT, *pro tem.* I suggest to my friend that he is not in order.

Mr. RUGGLES, of New York. I am wandering, but I will come to the point at once. I have got a little too far. I have got a rather large conception of my ideas, but I will draw in. I come now to something very specific indeed.

How can we secure that harmony? By representing the rights both of the majority and the minority on this occasion. The report of a committee representing only the majority, would have no value whatever. To secure the great object, we want the minority represented, as well as the majority.

The Rev. Dr. SCHENCK, of Long Island. May I ask the learned deputy from New York one question at this point?

Mr. RUGGLES, of New York. I beg my friend

not to interrupt me. I would rather conclude what I have to say.

I am seeking to get an honest expression of opinion of this whole House of all stripes, of all parties. My object is to secure the rights of all classes of opinions on those disputed questions, that we shall not have a committee representing the High Church, nor the Low Church, nor the Middle Church, but the whole Church in all its entirety.

Sir, I would protect the minority in this body, as I would, and am now endeavoring to, protect the minority in my own afflicted city, from the tyranny of the majority. I am now laboring in the civic field to protect the minority from the tyranny of the majority, by introducing into its government the feature of minority representation. That feature I would bring here,—perhaps not as a general rule; I should hesitate to do that; but on this particular occasion, when it is so necessary that the minority as well as the majority should be fairly represented, so that we can have presented to us a report which will secure the peace and harmony of the Church.

The PRESIDENT, *pro tem.* I think my friend from New York has not got back to the point yet. [Laughter.]

Mr. RUGGLES, of New York. I will come to it at once. I have got to the point now. [Laughter.] I propose as an amendment that we choose the committee of five presbyters and five laymen, by ballot, each member voting for three of each, and the five having the highest number to be elected. That will secure the representation of both the majority and the minority.

The PRESIDENT, *pro tem.* That amendment is not now in order, an amendment to an amendment being pending.

Mr. RUGGLES, of New York. I merely present it now for the information of the House, to enable them to vote understandingly on the pending question. I shall offer it as an amendment when it is in order to do so.

The PRESIDENT, *pro tem.* The question now before the House is the amendment of the gentleman from Pittsburgh, substituting the Committee on the Prayer Book for the Committee on Canons.

The Rev. Dr. DEKOVEN, of Wisconsin. I wish to say one word in regard to the reference of this matter to the Committee on Canons, the Committee on Prayer Book, or any other standing committee. First of all in regard to the Committee on Canons, that is broken up.

The PRESIDENT, *pro tem.* Allow me to correct the gentleman. He is true in appearance, but not in fact. The committee is not broken up.

The Rev. Dr. DEKOVEN, of Wisconsin. I simply meant to say that it was not entirely full.

The PRESIDENT, *pro tem.* The vacancies will be filled to-day, the moment the Chair has the opportunity of submitting them to the House.

The Rev. Dr. DEKOVEN, of Wisconsin. I object to the reference of this matter to any one of our standing committee. It is a most serious and important matter. It is a matter which affects us

all in the Church very deeply and very earnestly. The committee on this subject should be specially appointed for the purpose which it is to consider, and it ought to represent every shade of feeling on this subject. There are various degrees of feeling and various thoughts and views upon the matter, and if this House elect a committee, it is much more likely to have a committee which will represent the whole House, and if that committee brings in any measure, that measure will be likely to represent the views of the House, or if it decides, as I trust it may, that there shall be no action, then it will be more likely to represent the views of this House.

Mr. WELSH, of Pennsylvania. The objections to the two amendments with me are these: We do not propose to alter the Prayer Book. I presume that is not likely to be acceded to. It is not proposed to make new canons. ["Oh, yes."] Not by this House. This House has made no such proposition. If we had determined to have canonical restrictions, there would be some propriety in sending this matter to the Committee on Canons; but even then, it would not be safe because the power of that committee on this floor is very great. When the members of that committee get up and speak all over the House, we fancy that the whole House is one way. It is infinitely better to have an independent committee on so grave a subject, that will be perfectly free to come here with their report. Then, if you please, that can be referred to the Committee on Canons if it contains a canonical provision. It strikes me that the original proposition is infinitely the better one, and that we are taking the very time we might have finished the election in, in trying to save time.

The PRESIDENT, *pro tem.* The question is on the amendment of the gentleman from Pittsburgh, making the Committee on the Prayer Book the Committee of Conference.

The amendment was rejected.

The PRESIDENT, *pro tem.* The question now recurs on the proposition of the gentleman from Virginia (the Rev. Mr. Hanckel) to make the Committee on Canons the Committee of Conference.

The Rev. Dr. GOODWIN, of Pennsylvania. I beg the House to excuse me for troubling them with one word further on this subject. Either my understanding is very much obfuscated—it may be—or that of some others is. We are told by one gentleman that this House never have contemplated, in anything they have said to the Bishops, any change of the Rubrics, any change in the Prayer Book. If I read aright the resolution which was sent to the Bishops, it expressly contemplated the possibility of such a change. If the gentleman meant that his belief is that the House never would accede to any such change, he has a perfect right to his belief, and I can say nothing against it; but that such a change has been contemplated as possible by this House, is plain on the face of our resolution. If, then, we turn and say to the Bishops, or if it is understood that we are to say, "We

meant no such thing," I do not understand our position.

Now I come to another point. My lay colleague from Pennsylvania (Mr. Welsh), has informed us that this House contemplates no canonical action, that this House contemplates no legislation whatever, and therefore this matter should not go to the Committee on Canons. Again, I say, the very purpose set before this committee is to consider whether it is expedient to make any such change. The question before such a committee is twofold. First, whether the introduction of any canons on this subject is expedient; second, if so, what? The very gist of the matter refers, therefore, to canonical legislation or non-legislation.

Again, if it be meant that the general opinion is that this House is not ready for canonical legislation, he has a right to that opinion, and I have nothing to say against it. But he has no right to assume for this House, and demand of this House, that they shall act upon his opinion, and say they have pledged themselves to it, to assume that this House have taken a position which binds them to that opinion. The very subject matter that goes before that committee is a question of canonical legislation.

That cannot be a reason why the Committee on Canons should have nothing to do with it unless it be, again—another strange suggestion—that if we refer it to the Committee on Canons, we pledge ourselves that we are in favor of the canonical change. Sir, is that true doctrine in this House? I have myself offered a resolution proposing a canonical change, and had it referred to the Committee on Canons, that I neither wished myself, nor supposed this House would favor. I have heard ever so many propositions referred to the Committee on Canons by this House. I never understood that this House was pledged in those references to as much as saying, "We are in favor of those canonical changes, and you must bring in canons accordingly." It is absolutely no such thing.

The question here is, I repeat, a question of canonical legislation. We do not commit ourselves positively or negatively on the subject by referring it to the Committee on Canons; that is, by making them our Joint Committee in this case. The whole question is left for consideration before that committee as fairly, as squarely, and as completely, as it could be left before any committee whatsoever.

Therefore, setting all those things aside, I have only to say that I favor the proposition of the gentleman from Virginia, simply because I hope it will save trouble and save time. It is true this has cost us time, but then if this fails, we have got to take double time. If it takes us so much trouble to get this, which is an easy, simple thing, done, and done at one stroke, what will be the trouble of going into such an election as is proposed by the original resolution?

The Committee on Canons, I suppose, are constituted of various stripes (as that word has been used) in the Church; but if every little stripe has

got to be represented on this committee, ten men will not answer. But if it is only one general majority that is spoken of, and a general minority that is spoken of, and I must confess as I stand on this floor I do not know what is meant by the majority here. If that is all that is thought of then the Committee on Canons will certainly represent the general majority and the general minority in this House. I should be as ready as any man on this floor to thank God with all my heart if I could see and feel that there were no such parties in this House, or in our Church; but if they are here, we may as well quietly, and fraternally and lovingly, with our hearts confess the fact, and endeavor to act in a quiet, fraternal, and loving way accordingly. Let us confess, then, if we must confess, that there is a majority and a minority here; but I believe they are represented on that committee, and I am willing to trust that committee at a venture. If we go into the election of another committee, I do not think we shall get any better one, or one that will represent better the majorities and minorities in this House. Therefore, without taking up the time of the House, it seems to me it will be a saving of time and trouble to adopt the amendment proposed by the gentleman from Virginia.

Mr. RUGGLES, of New York. I now beg leave to offer the resolution which I presented a short time since, in this shape:

Resolved, That a committee on the subject-matter of message No. 5, from the House of Bishops, be appointed, consisting of five clerical and five lay members of this House, said committee to be appointed by ballot; each deputy to vote for three clerical and three lay members of said committee: the five clerical and five lay members having the highest number of votes to be declared elected.

I move that, as a substitute for all that has gone before.

Mr. COMSTOCK, of Central New York. It strikes me that there is something impracticable about that way of getting at the appointment of the committee. It contemplates plainly only one ballot. It may very well happen that in two hundred and fifty votes, no one member of this House will have more than twenty-five, and according to the terms of this resolution, he must be chosen, whether he has nine, ten, twenty, or fifty votes. That is the minority principle with a vengeance. The sense of the House will not be expressed in that way of voting. I think the only way to do this is to ballot in the usual way for the committee. I do not suppose that the whole committee, perhaps none of them, will be chosen on the first ballot; but, at the same time, the House need not be turned from its purpose by the fear of a protracted and exciting election; because, on some of the votes, probably on the third ballot, I shall move, if no one else does, that the balloting be confined to a certain number of the highest, or that the five having the highest number of votes be chosen, and thus we shall reach a result in a short time.

While I am up, I will say a word about the mode of appointing this committee. The proposition now is to send the subject to the Committee on

Canons. It appears to me that that is taking a mere chance committee upon a very grave subject. The Committee on Canons has not been constituted with the slightest reference to this question. That is one, and I think a very unanswerable objection to sending it to that committee. Another is, that we all know that the hands of that committee are entirely full—that they have more work to do than they can well perform. This is a very grave question, which concerns the feelings, at least, of the whole Church; and I think a committee of this House can be made, which will represent the average sense of the House on this question, and I have no doubt such a committee will be made by a ballot.

I commit myself to nothing, in voting for this proposition. I do not commit myself to canonical legislation nor against it, but simply say that I think this is the best way to get a fair consideration of the subject, and a fair report, which will command the confidence of this House and the confidence of the Church.

Mr. WITHERS, of Virginia. The very argument which the Deputy from Central New York uses against the reference of this subject to the Committee on Canons, furnishes to my mind the strongest possible argument in favor of it; that is, that they were not appointed with reference to this question at all. The gentleman from New York [Mr. Ruggles] is exceedingly anxious for minority representation, and proposes the election by this body of the Committee of Conference. I ask him if the chances are not much greater in favor of having the minority fairly represented, whatever that minority may be (for I have no idea who is the majority and who is the minority here), by a reference to the Committee on Canons, because, as the gentleman on my left [the Rev. Dr. Goodwin] said, all shades and stripes of opinion are in all probability represented on that committee. But what will be the case if you elect a committee by ballot? Clearly, the majority of the body will control the complexion of that committee, and you will have a committee elected to represent the majority alone; it will be impossible to have minority representation upon it. For that reason, I urge that this matter be referred to the Committee on Canons, because we shall then have a committee, the impersonation of every shade of opinion that exists on this floor, and the minority, as well as the majority, will be represented.

Mr. RUGGLES, of New York. The difficulty suggested by the gentleman from Central New York can be very easily remedied, by declaring that the three highest shall have a majority of all the votes cast. It is perfectly easy to regulate that matter, and provide that the three highest shall have a majority of all the votes cast.

The PRESIDENT *pro tem*. But that is not your amendment.

Mr. RUGGLES, of New York. It can be amended in that way, if it is deemed necessary. The danger which the gentleman has pointed out is entirely imaginary.

Mr. JUDD, of Illinois. I wish to call attention to one fact, in connection with the resolution of the gentleman from New York. If that resolution be adopted, and we are called upon to vote by Orders,

it strikes me it will conflict with the Constitution. That resolution provides that each member shall have one vote. If a vote by Orders shall be called for by either a clerical or lay delegation, then the members will not be entitled to a vote, but only the dioceses in their order. I call attention to that fact, to see whether or not the resolution may not conflict with the second Article of the Constitution, which provides:

"And in all questions, when required by the clerical or lay representation from any diocese, each Order shall have one vote; and the majority of suffrages, by dioceses, shall be conclusive in each Order."

Mr. RUGGLES, of New York. The same principle can be applied to dioceses as well as to the members, and they can vote in the same way.

The Rev. Mr. SCHEETZ, of Missouri. I think the point made by the delegate from Illinois, in reference to the amendment of the gentleman from New York is well taken. I do hope that this House will never allow to be brought in here, those miserable principles which are allowed to influence mere political bodies.

While I am up, I desire to say that I hope the question will not be called, but that this House will be wearied a little while longer by this discussion, in order that they may see that they have made a grievous error in going thus far in the wrong way.

The PRESIDENT. The gentleman is out of order, in reflecting on the House.

The Rev. Mr. SCHEETZ, of Missouri. I beg the House's pardon. All I meant to say was, that the House, as an evidence of the highest respect and of the greatest wisdom, and of the most eminent propriety, should have referred this matter back to the House of Bishops as a thing which properly lies wholly within their jurisdiction.

The PRESIDENT, *pro tem.* The question is on the amendment proposed by the gentleman from New York. [Mr. Ruggles.]

The amendment was rejected.

The PRESIDENT, *pro tem.* The question recurs on the amendment proposed by the gentleman from Virginia, [Rev. Mr. Hanckel], making the Committee on Canons the Committee of Conference on the part of this House.

Mr. McCRADY, of South Carolina. When that committee report, would you send that Canon, if it comes in the shape of a Canon, to our Committee on Canons or not? You have got a Committee on Canons. The proposition is a Canon. To what better committee could you refer it than to that committee? Then when they report, if they report a Canon, the thing is done.

The Rev. Mr. HUNTINGTON, of Massachusetts. Did I understand the Chair to say that the printed list of the Committee on Canons does not accurately represent the present constitution of the committee?

The PRESIDENT, *pro tem.* I said the vacancies in that committee are to be filled to-day. Judge Otis has gone home and Mr. Fogg has not made his appearance. There will be two members to be added in the course of the day. The number will be the same.

The Rev. Dr. HUNTINGTON, of Massachusetts. Would it not be hasty then to commit this subject to the Committee on Canons, until we know how that committee is to be filled out?

The Rev. Dr. MEAD, of Connecticut. I will answer the gentleman's question so far as the Chairman of the committee is concerned. If this House should commit this matter to the Committee on Canons, it would commit it to the Committee on Canons as it now stands. I should not ask, nor expect, nor be willing, to have any other gentlemen added to it besides those who are on it now. It would not be fair.

The Rev. Mr. GIRAULT, of Louisiana. I ask if the Hon. Hamilton Fish is present?

The PRESIDENT, *pro tem.* He is not here to-day, but will be to-morrow.

The Rev. Mr. GIRAULT, of Louisiana. He acts with this committee?

The PRESIDENT, *pro tem.* Yes, sir.

Mr. GORDON, of Alabama. The suggestion just made by the deputy from Massachusetts, is conclusive to my mind, at any rate, that this resolution should not be referred to the Committee on Canons. In a matter so important as this, in a matter where, if I understand the temper of this House, it is desired that the Committee of Conference shall bring back to this body such action to be taken by the Church at large, as shall go forth as the unanimous voice of the church. I do not conceive, when we absolutely do not know the names of at least two of the members of the Committee on Canons—

The PRESIDENT, *pro tem.* I beg to correct the gentleman. You know the names of the Committee on Canons if you will read the list.

Mr. GORDON, of Alabama. I have seen that, but I have understood that one of the committee is not here, if not two.

The PRESIDENT, *pro tem.* That is true.

Mr. GORDON, of Alabama. And those vacancies are to be filled during the course of the day. Whether the suggestion made by the deputy from Connecticut shall, or shall not, be the judgment of this House, is a question to be determined by the House itself. As I understand, the deputy from Connecticut says he would not be willing to refer this to any other than the gentlemen whose names are now printed as members of the Committee on Canons; and yet if two gentlemen on that Committee on Canons are not present, and their places are absolutely to be filled to-day, if we elect the Committee on Canons as the conference, we do not know two at least of the gentlemen whom we are electing.

This House, by an almost unanimous vote, have acceded to the recommendation made by the House of Bishops that this Committee of Conference should be appointed; that at any rate this question should be brought before a committee composed of the Bishops, of the clergy, and of the laity. I understand from that, that it is simply that we may have such action reported to us as shall meet the unanimous approval of this House; and if I clearly understand the temper of the House, I do not believe, whether it be that I am in the majority, or in the minority, there is a man so lost to the interests of the Church, and the interests of the Saviour, as not to endeavor to the very best of of his ability to select just such men as shall bring a report here that shall be entitled to unanimity. What is the benefit of a committee of conference, what is the benefit of a report, what is the benefit of bringing this question before us, either by canon or by resolution, unless it can go forth as the embodiment of the opinion of the entire Convention? The gap instead of being repaired will only be widened, the wound instead of being healed, will only be deepened, the

scar will remain there worse than if we had never touched it.

We commenced this question at the last General Convention. The aspiration then, as now, was for unity in the Church of God; and now that the Right Rev. Fathers have brought us a means by which we may be able to meet this question in the spirit in which it should be met, it seems to me that the greatest care should be taken that we should know every individual man to whom it is committed. If I belonged to any party in the Church, if there are parties in the Church, I should say to them, as I stand in the fear of God that those who differ from me should be represented on that committee, in order that when we come together in this House to vote on the report of that committee, my brother and myself, linked arm in arm and heart to heart, may be able to vote together, and thus be able to present to the world the picture of an united Church.

The Rev. Mr. HANCKEL, of Virginia. To meet the objection of gentlemen, I have modified the resolution so as to read:

Resolved, That the Committee on Canons, as now constituted, do constitute the Joint Committee of Conference on the part of this House called for by message No. 5, of the House of Bishops.

The Rev. Mr. HUNTINGTON, of Massachusetts. I ask, what is the committee as now constituted? We have been told that two of those gentlemen are absent from the Convention.

The Rev. Dr. MEAD, of Connecticut. I will read the names of those who are regularly present, and who attend the meetings of the committee.

Mr. GORDON, of Alabama. I believe I am entitled to the floor. The amendment which has been made by the gentleman from Virginia, to his original resolution, unquestionably answers one of the positions which I have taken, and gives us a substantive list of names. It does not meet the radical difficulty, however, in my mind, at least, in the selection of this committee from any one of the committees of the House; and if the Convention will pardon me one moment longer, I think I can give them an additional reason why it should not be so. There is, at any rate, one, if not two, of those gentlemen now absent. I understand that the Hon. Hamilton Fish is absent, and the Hon. Mr. Fogg, of Tennessee, is also absent, but Mr. Fish will be here to-morrow. Then I am told that Judge Otis is also away. There are three members of this Committee who are absent, one of whom is expected to arrive to-morrow; the presence of the other two is doubtful. Now, there is no difficulty in selecting from this body those who will unquestionably (Providential circumstances of course excepted), be able to devote their time, their attention, and their presence to this matter.

But the main objection that I have is that the action of a Committee of Conference, composed of five bishops, five clergy, and five laity, is not as likely to come back to this body in such a manner as to elicit unanimous action from us, or give to the Church at large as great a guarantee of the unanimous opinion of this body on these questions, which so sadly rend the body now, as it would if we selected for ourselves the individuals who shall compose the committee on the part of this House.

I know nothing at all of the constitution of the

Committee on Canons; I know nothing at all as to the sentiments of the gentlemen who are upon that committee; and therefore, in what I am stating, I am not pretending to say that I would not be perfectly willing to submit almost any question, except this, to them; and the only reason why I would not submit this to them is, because I believe we shall lose the moral force that should be given to the report if we do not select ourselves our own agents for the good work of producing unanimous action by the Church. I therefore oppose the amendment of the gentleman from Virginia.

Mr. JUDD, of Illinois. On this question the lay representation of the Diocese of Illinois, ask for a vote by Dioceses and Orders.

The Rev. Dr. HALL, of Long Island. I suggest that by the resolution as it now stands, we are in danger of introducing some confusion into this matter. The Committee on Canons as now constituted, includes two gentlemen who are absent. If those gentlemen return, they go into the Committee on Canons, in the midst of a very important line of discussion. In the meantime, if the President shall appoint two other gentlemen in their places, it gives them rather an ambiguous position. It seems to me that we are in danger of confusing the matter, or confusing the members of the Committee of Conference.

If the President makes a change, it seems to me advisable to add a word or two more to the resolution in order to exclude those who are absent, and prevent this difficulty.

The PRESIDENT, *pro tem*. The President assures me that he will make no appointment at all during the pendency of this question.

The Rev. Dr. SCHENCK, of Long Island. There seems to be a disposition to refer this matter to the Committee on Canons, which I regret very much; and as I gather from those seated around me of my own deputation that they have that disposition, and as I cannot agree with them, and as probably the view that influenced me may possibly influence others, particularly as one or two ideas that I entertain have not been expressed on this floor, I beg to say a word.

I do not think it is a matter of precedent, after the other House asks for a Committee of Conference, that we should refer them to one of our standing committees as that Committee of Conference. I do not think we have any such precedent as far as I have been able to read the Journals of the House, and I think it would be a departure for which we should give a very good reason. The House of Bishops asks for a Committee of Conference, which is a special committee charged with this particular matter.

Instead of meeting this request which they have very courteously made, we propose referring this to one of our regular standing committees, a committee that was never appointed with reference to this matter; a committee which has not the special matter within its purview, I take it, as at first organized. It is a matter for the consideration of a fresh committee which is entirely outside of that which is provided by the Constitution and Canons

for the legislation of this Church, and that we may have submitted to us the matter for our regular consideration.

Mr. President, there is another aspect of this question. When I asked the distinguished deputy from New York if I might ask him a question, and when in the full glow and vigor of his rhetoric he declined to permit me to do so, I confess I was very much chagrined for I thought I asked him very courteously, and it was a very simple matter, and he was very much in earnest; but I wanted to have a matter that he was speaking about explained to this House. When a man rises upon his feet and discusses a subject here, it is taken for granted that he has something to offer to this body; and when any member, particularly one coming from an infant diocese, who sits upon the outside of this Convention, does not understand exactly what is said, I think he may in a deferential manner ask to be informed.

The PRESIDENT, *pro tem.* I believe my friend is out of order. He is wandering from the question.

The Rev. Dr. SCHENCK, of Long Island. I cannot state a proposition without a preface, as has already been said. This is the preface. I can only say that the question I wanted to ask was, what was the minority that was to be represented. That question has been introduced so constantly, it seems to enter so importantly into the construction of this committee, that I thought it was right the House should understand what gentlemen meant when they said the minority should have a representation. I wanted to have my friend state distinctly, which is the fact, that the minority, of course, must be the Ritualists, because we are trying to put them down by this proposed legislation. [Laughter.]

When it is said that on the Committee on Canons every stripe and shade of opinion in this Church is represented, I naturally pick up the Committee on Canons, and go over the list to see who is the Ritualist that represents the minority on the Committee on Canons. My distinguished brother from the Diocese of Long Island, who sits on my left? By no means. I repudiate the idea. And so I might go through the *personnel* of that committee, and I can say in all honesty that there is no Ritualist there, as far as I am able to judge. There is a great deal more seriousness than gentlemen seem to imagine in what I am observing. [Laughter.] Upon the very argument these gentlemen make use of, the Committee on Canons is the very last committee as at present constituted; to discuss this subject, for there is no minority representation there. [Laughter.]

Now I think we had better go back, as the clerical deputy from Wisconsin a few minutes ago very distinctly observed, we had better go back to the course that this question originally took. It seems to me that the proper way to appoint a committee is not by a general balloting of this House. I think, as was shown by the distinguished deputy from

Central New York, that it is only through a very long protracted series of ballotings and by very circuitous methods that we can get at the sentiment of the majority of this House in the appointment of a committee by general ballot; but I do say that if we appoint a small committee by ballot, who shall take this subject into consideration and report a committee to this House, as was suggested by the clerical deputy from Connecticut (the Rev. Dr. Beardsley), the idea which I think has more strength and reason in it than any that has been presented, just precisely according to the analogy of our civil legislation. When we wish to elect the very highest officers to represent the state, we do not elect those officers by general election, but we elect a legislature that is our special committee, and they elect our Senators to represent us in the General Council of the Nation. Just, so when we come to what we may regard as one of the most important questions that will be submitted for the consideration of this body at this present session. I think we ought to appoint that committee according to that method which has been suggested by the clerical deputy from Connecticut, and I think that committee ought to be made up of fresh material, a committee that represents the fresh thought and the immediate and prompt sentiment of this House.

The PRESIDENT, *pro tem.* The question is on the amendment proposed by the deputy from Virginia [the Rev. Mr. Hanckel], which the Secretary will please read.

The Secretary read as follows:

Resolved, That the Committee on Canons, as now constituted, do constitute the Joint Committee of Conference on the part of this House, called for by message No. 5 of the House of Bishops.

The question being taken by Dioceses and Orders, the result of the vote was:

Clergy. 16 dioceses, *aye*; 23 dioceses, *nay*; 1 diocese, divided.

Laity. 17 dioceses, *aye*; 18 dioceses, *nay*; 5 dioceses, divided.

So the amendment of the Rev. Mr. Hanckel was rejected.

The Rev. Dr. DALZELL, of Louisiana. If it be in order, I wish to offer a resolution.

The PRESIDENT, *pro tem.* It is not. The hour of adjournment has arrived. I am desired by the President of the house to announce that he has appointed the Rev. Dr. Goodwin, of Pennsylvania, the Rev. Dr. DeKoven, of Wisconsin, and Mr. Welsh, of Pennsylvania, the committee to wait on Bishop Selwyn, with the thanks of the House.

On motion of Mr. STARK, of Connecticut, the House adjourned.

SEVENTH DAY.

WEDNESDAY, October 12, 1871.

Morning Prayer was said by the Rev. William H. Clarke, of the Diocese of Georgia, assisted by the Rev. John Hammond, of the Diocese of Florida, and the service was concluded by the Rt. Rev. Henry John Whitehouse, D.D., L.L.D., Bishop of Illinois.

The journal of yesterday's proceedings was read and approved.

REPORT OF COMMITTEE ON ELECTIONS.

The Rev. Mr. Shipman, of Kentucky, from the Committee on Elections, reported that certificates of election of members to fill the places left vacant by the Rev. Dr. Thompson and the Rev. Dr. Locke, of Illinois, had been placed in the hands of the committee and found correct, and the names entered on the roll of the House; also that they had received the certificate of the election of Mr. Richard Robinson to fill the place made vacant by the resignation of Mr. William F. Bullock, of the Diocese of Kentucky.

The PRESIDENT. At the adjournment yesterday I found on my table a request from the Rev. Dr. Thompson, of Illinois, for leave of absence. The necessity of his absence is quite apparent. Does the House grant leave of absence to the Rev. Dr. Thompson?

Leave was granted.

The PRESIDENT. Does the House grant leave of absence to the Rev. Dr. Locke, of Illinois?

Leave was granted.

OTHER MINISTERS OFFICIATING.

The Rev. Dr. CLARK, of New Jersey, submitted the following resolution, which was referred to the Committee on Canons:

WHEREAS, a difference of opinion exists as to the interpretation of the language of Canon 11; and whereas the phrase "this Church" as used in the Preface to the Book of Common Prayer is so used to distinguish this Church from the Church of England; therefore,

Resolved, That it be referred to the Committee on Constitution and Canons to consider the expediency of amending Canon 11, that it may not conflict with the language of the Preface of the Book of Common Prayer touching the distinction therein made between the Church of England and this Church.

PAROCHIAL RELATIONS.

The Rev. Dr. CLARK, of New Jersey, submitted the following resolution, which was referred to the Committee on Canons:

Inasmuch as, in the United States, there are about thirty millions of people, and about three thousand ministers of our Church, there exists but little danger of one clergyman disturbing the parochial relations of another clergyman; and inasmuch as Canon 12, section 6, paragraphs 1st and 2d, do not touch vested rights of property; and inasmuch as difficulty has arisen in the interpretation of the precise meaning of section 6 of said Canon; therefore,

Resolved, That the Committee on Canons be requested to consider the expediency of repealing section 6, paragraphs 1st and 2d, of Canon 12, or of so modifying it that it may be more clearly understood.

ADMISSION OF MINISTERS.

The Rev. Dr. DALZELL, of Louisiana. I offer a resolution which will excite no debate, and, I am certain, will meet with the unanimous sanction of

the House. I will preface its offering by saying that we have legislation in this Church concerning the admission of ministers of the Church of England and ministers ordained by Bishops in communion with this Church; we have laws regulating the mode by which ministers of the various Protestant denominations around us may become candidates for Orders in this Church; but we have no law in reference to ministers ordained by Bishops not in communion with this Church, and circumstances have, within the last year, occurred under my own immediate observation, which have forced me to the conclusion that some legislation is absolutely necessary. I will mention the case—

The PRESIDENT. The gentleman must offer his resolution, and defer his remarks to another time.

The Rev. Dr. DALZELL, of Louisiana. I merely wish to state why it is necessary to offer this resolution, referring to the Committee on Canons, the expediency of a Canon concerning the admission of ministers ordained by Bishops not in communion with this Church, and in offering it, if you will give me one half minute, I will state the one fact which has led me to present it. The resolution is:

Resolved, That it be referred to the Committee on Canons to consider and report to this House on the expediency of a Canon providing for the admission into the ministry of this Church of ministers ordained by Bishops not in communion with this Church, and to specify conditions on which such ministers may be admitted.

A priest of the Church of Rome—

The PRESIDENT. Please send the resolution to the Secretary's desk; and then I must say to Dr. Dalzell, that if he gives his reasons for offering it, some one else will have the right to give his reasons why it should not be adopted, and we shall launch into a debate which cannot be permitted at this hour, because these resolutions are now being received by general consent while we are waiting for reports.

The resolution was referred to the Committee on Canons.

LORD BISHOP OF LICHFIELD.

The Rev. Dr. GOODWIN, of Pennsylvania. That portion of the Joint Committee which was appointed on the part of this House to wait on the Right Rev. Bishop of Lichfield, according to the resolution of this House, report:

That your Committee found that the House of Bishops had already taken final leave of his lordship, and, being then in session in council, could not receive the joint resolution of this House. As his lordship the Bishop of Lichfield was to leave the city this morning, your Committee, at the risk of the informality, which they explained to his lordship, determined to wait on the Right Reverend Prelate with a copy of the resolution of this House. They were cordially received, and his lordship desired the Committee to communicate to this House the expression of his great pleasure at receiving the resolution of this House, his hearty thanks for their many manifestations of kind regard, and his fervent prayers for their prosperity and happiness.

NEW YORK FEDERATE COUNCIL.

The Rev. Dr. HAIGHT, of New York, submitted the following report :

The Committee on Canons, to whom was referred a memorial from the Federate Council of the dioceses within the State of New York, submitting to this Convention for its approval, a proposed declaration of powers to be exercised by the said Federate Council in the words following, to wit :

"The five dioceses existing within the limits of the State of New York, having established for themselves a Federate Council, pursuant to the provisions of Canon 8, Title III., of the Digest, etc., hereby submit to the General Convention for its approval, the following declaration of the powers proposed to be exercised by the Federate Council :

DECLARATION.

"I. The said Federate Council shall have full power to deliberate and decide on all matters pertaining—

"1. To such civil legislation as the common interest of the Church in the State of New York may require.

"2. To the promotion of the interests of Christian education, and to the furtherance of joint work for the extension and prosperity of the Church

"3. To the establishment of an Appellate Court, to which, under the canons of any particular diocese, appeal may be made from the decision of any Diocesan Court in said State.

"II. And the said Federate Council shall have full power to enact all regulations necessary to its organization and continuance, and to the end contemplated in the foregoing declaration, not inconsistent with or repugnant to the Constitution and Canons of the General Convention of this Church, or of any one of the dioceses concerned ; or to the Law of the Rubric, as "contained in the Book of Common Prayer and Offices of this Church."

Respectfully report that they have considered the same, and recommend the passage of the following resolution :

Resolved (the House of Bishops concurring), That the General Convention does hereby approve such of the powers proposed to be exercised by the Federate Council of the State of New York, as are set forth in the first and second sections of article I. and of article II. of the declaration of powers submitted for the approval of the General Convention ; but both decline to approve the third section of article first of the said Declaration of Powers, for the reason that article 6 of the Constitution confers upon each diocese in said State the power to institute the mode of trying presbyters and deacons therein, including a court of appeals, if such diocese elects to institute such tribunal for itself. And whether such Appellate Court shall also be the Appellate Court of any other of the dioceses in said State, is a matter of discretion and concurrent choice on the part of the Conventions of such other dioceses respectively. But the approval of powers hereby given is upon the express condition, that the regulations proposed to be enacted, as suggested in the second article of the Declaration of Powers aforesaid, shall be accepted and approved by the Conventions of all the dioceses in said State. And it is hereby further declared, that the General Convention does hereby reserve to itself the right to withdraw the approval of powers hereby given, at its pleasure.

By order of the Committee,

WILLIAM COOPER MEAD, D.D.,

Chairman.

The Rev. Dr. HAIGHT, of New York. For obvious reasons I am not the person to explain this matter, and the chairman of the committee has requested my colleague, Mr. Burgwin, of the Diocese of Pittsburgh, to bring it in detail before the House, which he will now do.

Mr. BURGWIN, of Pittsburgh. The Committee on Canons have requested me to state, as I shall do very briefly, the views and opinions—

Mr. COMSTOCK, of Central New York. I ask the gentleman to give way that I may submit a motion to make this report the special order for a future day?

Mr. BURGWIN, of Pittsburgh. I yield for that purpose.

The Rev. Dr. HAIGHT, of New York. I have no objection to that.

Mr. COMSTOCK, of Central New York. I move that it be made the special order for Friday at one o'clock, if there no other order for that time, and be printed for the use of the House.

The motion was agreed to.

The Rev. Dr. HAIGHT, of New York. I beg leave to state that there is a report from the Committee on Canons, which will be ready in the course of the morning, on the subject of the memorial from the mission territory of Dakota. It is not ready now, but will be in the course of the morning.

COURT OF APPEALS.

The Rev. Dr. McNAMARA, of Nebraska. I desire to present a printed canon, which if it is as good and effective as it is brief, will be of great service, and it seems to me should be adopted. It is prepared by Mr. J. M. Woolworth, a deputy from Nebraska, who is not present, and he has asked me to present it, and move its reference to the Committee on Canons. It relates to the subject of the Court of Appeals. I move that it be referred to the Committee on Canons.

The motion was agreed to.

JURISDICTION OF BISHOPS.

Mr. WHITTLE, of Georgia. I wish to offer a resolution relating to the 4th article of the Constitution, [and as that article is very brief, I propose to read it before reading my resolution :

"ARTICLE 4. The Bishop or Bishops in every Diocese shall be chosen agreeably to such rules as shall be fixed by the Convention of that Diocese; and every Bishop of this Church shall confine the exercise of his Episcopal Office to his proper Diocese, unless requested to ordain or confirm, or perform any other act of his Episcopal Office, by any Church destitute of a Bishop."

It is plain from that Article of the Constitution that under no circumstances whatever, except where a diocese is without a Bishop, even if a Bishop is sick or disabled, can an adjoining Bishop officiate in that diocese. I, therefore, offer the following resolution:

Resolved, That the Committee on Canons are requested to consider and report to the House if Article 4 of the Constitution should be altered or amended, and if so, what alteration or amendment should be made.

The resolution was referred to the Committee on Canons.

COLLEGE PARISHES.

The Rev. Dr. BEARDSLEY, of Connecticut. I rise to offer for reference to the Committee on Canons, the following proposed canon:

Whenever in any duly incorporated academy, college, theological seminary, or divinity school, there

shall be a chapel, consecrated or dedicated by the Bishop, in which public worship is held on the Lord's day and holy days, according to the rite and order of this Church, the students or pupils of said institution, being members of this Church, or permitted by their parents or guardians to worship in such chapel, shall be considered as under the pastoral charge of the president or chaplain of the same, he being in Holy Orders; and he shall report to the Bishop at the annual convention of the diocese, all baptisms, confirmations, communicants, contributions, and other matters usually comprised in a parochial report. *Provided*, That nothing in this canon shall prevent the use, during term-time, and on other days than those above expressed, of a service for such institutions set forth or approved by the Bishop.

The Rev. Dr. HAIGHT, of New York. I suggest to my friend that a better reference would be to the Committee on Christian Education for the purpose of settling the general principle. If that committee, after examining the subject, they understanding the matter thoroughly, should decide that a Canon was requisite, then it could go to the Committee on Canons; but we are so much burdened now that I do not see very well how we could take up the preliminary point before the Canon comes.

The Rev. Dr. BEARDSLEY, of Connecticut. I have no objection to that.

The proposed Canon was referred to the Committee on Christian Education.

NAME OF CONVENTION.

Mr. JUDD, of Illinois. Mr. President, I desire to present for the information of this House, a resolution adopted by the Convention of the Diocese of Illinois, as follows:

Resolved, That the Convention of the Diocese of Illinois is in favor of changing the names of the General and Diocesan Conventions to those of General and Diocesan Councils; and that the deputies of this diocese to the General Convention are hereby instructed to use their influence, and to cast their votes in that body accordingly."

This resolution is duly certified by the Secretary of the Diocesan Convention.

In furtherance of its objects, I offer the following:

Resolved, That it be referred to the Committee on Canons to inquire into the expediency of changing the name of this body from "Convention" to that of "Council;" and, that in case such committee shall deem it expedient that such change be made, they prepare and report to this House such amendment or amendments to be proposed to the Constitution, as may be necessary to accomplish this end.

In connection with this resolution, I also move to refer the resolution of the Diocesan Convention of Illinois to the Committee on Canons, provided my resolution pass.

The PRESIDENT. The question is on the reference to the Committee on Canons of the resolution of the gentleman from Illinois, and the accompanying paper from the Diocese of Illinois.

The motion to refer was agreed to.

BOARD OF MISSIONS.

The Rev. Mr. PLATT, of Kentucky. I propose the following resolution:

Resolved, That the Committee on the Domestic and Foreign Missionary Society be instructed to inquire into the expediency of giving to each rector of this Church *ex officio* a seat in the Board of Missions,

limiting each diocese to one vote; and to report by canon or otherwise.

The resolution was referred to the Committee on the Domestic and Foreign Missionary Society.

GENERAL THEOLOGICAL SEMINARY.

The Rev. Dr. BUEL, of Albany. I rise to offer a resolution proposing an amendment to the Constitution of the General Theological Seminary:

Resolved, That the Constitution of the General Theological Seminary of the United States of America be altered, the alteration to take effect on October 1st, 1872, by substituting for article 3 of the present Constitution, the following:

"3. The Board of Trustees shall be constituted as follows: The Bishops of the Church, together with the Dean, shall be *ex officio* members of the board. Every diocese shall be entitled to two trustees, one clerical and one lay, and to one additional trustee for every twenty-five clergymen in the same, and one additional trustee for every \$20,000 of money in any way given or contributed in the same to the funds of the Seminary, including also donations in lands at their value when made. The trustees shall be resident in the diocese for which they are appointed. They shall be elected by the Diocesan Conventions respectively, and shall continue in office until their successors are appointed. The senior Bishop present shall preside at the meetings of the Board of Trustees, and whenever demanded by a majority of the Bishops present, or a majority of the Clerical and Lay Trustees present, the concurrence of a majority of the Bishops present, and a majority of the Clerical and Lay Trustees present shall be necessary to every act of the board. Eleven trustees, and one or more Bishops, shall constitute a quorum."

I wish to say but one or two words about this resolution. With the exception of one word, it is the same article that is found in the amended Constitution proposed by this General Convention in 1865. The only change made is the substitution in the article I now propose of twenty-five members for fifty members, as the basis of representation in the Board of Trustees. That amended Constitution passed the Board of Trustees in New York, and then passed the General Convention after having been carefully considered in both Houses; but there were some slight, immaterial amendments made during its passage through the General Convention, which rendered it necessary to go again before the Board in New York. When it came up after a lapse of many months in the Board at New York, a resolution was adopted, prepared by the standing committee, declaring that in consideration of the fact that the statutes of the Seminary had been thoroughly amended so as to provide for nearly all the improvements contemplated in the amended Constitution, therefore it was not necessary to give that constitution any further consideration, and the Board respectfully declined further considering it. The statutes of the Seminary did provide for many of the improvements contemplated in the new Constitution, but not for this most important one. The

statutes could not alter the Constitution of the Board of Trustees, and I will just say in a word about this amended article, that it accomplishes two or three most important ends.

All who are acquainted with the Board of Trustees of the General Seminary know, that it is a most inconvenient and a most unwieldy body. This contemplated change greatly reduces it from its present most unwieldy size. Again, this amended article, I think, will prove to be a decided improvement in the efficiency of the working of that board, by reason of the fact that it makes the trustees singly responsible to their own dioceses. Now, the process of appointing the board is to send in a long list of names; many of the dioceses send in names, some do not send in names, and in the cases of all these dioceses I understand it has been the custom of the Committee on the General Seminary of this House to take the names in the old list. Thereby every three years we appoint a long list of members, very many of whom have no knowledge of, and feel no interest whatever in, our General Seminary. Sometimes, I believe we even appoint dead men to seats in the Board of Trustees. By this resolution, a much smaller number from each diocese will be appointed by the Diocesan Conventions. In these Conventions there will always be persons who feel a deep interest in the Seminary, at least in most of the dioceses; they will be careful to select trustees who are known to be interested in the Seminary; and appointed in that way, they will, I think, have a higher sense of obligation and of responsibility. I think, sir, that the improvement made in that feature, will tend to secure much greater efficiency in the workings of the Board of Trustees.

There is one other change, and I think it is decidedly an improvement. The amended article, as I propose it by this resolution, and as it is found in the Journal of our Convention of 1865, requires for a quorum of the Board, not only the presence of eleven trustees, but of one or more Bishops. It therefore makes the board more Churchly, and recognizes that great fundamental principle of the Apostolic Church of Christ, that nothing shall be done without a Bishop.

This amended article of the Constitution secures as clearly as the old article does, those fundamental principles of the Constitution of our General Seminary, settled by Bishop Hobart and the noble founders of that institution, and which we are bound to respect and always to observe, the principles that the dioceses shall be represented in the Board of Trustees, and that they shall all be there represented in proportion to the number of their clergy, and in proportion to the amount of contributions from the several dioceses. It recognizes as fully as the old article those great fundamental principles of the Constitution of the Board of the Seminary, and it must always secure, and ought to secure, to the diocese and the great province of New York, the controlling influence in that board, and which of right, by their noble benefactions to that

institution, belongs to that diocese and province. I move the reference of this to the Committee on the General Theological Seminary.

The motion to refer was agreed to.

CANDIDATES FOR ORDERS.

The Rev. Mr. Magill, of Indiana, submitted the following resolution:

Resolved, That it be referred to the Committee on Canons to inquire and report whether it be advisable to alter section 6 of canon 5, title I., by substituting for the words "six months" the words "one year," or allowing the reading in this place to remain as it is by adding after the words "deacon's orders," the words: "*Provided*, that the said candidates shall not be advanced to the Holy Order of Priests, until they have served three years in the Diaconate."

The Rev. Dr. PADDOCK, of Long Island. I wish to ask a question of the mover of the resolution. I ask whether it would not be well to allow it to remain a little while, because a Joint Committee on the entire subject of theological education is to report to this Convention a scheme drawn out, I happen to know, very fully, I do not know how wisely, and to see whether it would not be worth while to let the matter of time and periods of Diaconate rest for the present, when we are to have soon, a fully matured scheme covering the whole ground.

The Rev. Dr. HARE, of Pennsylvania. I beg to say that the committee will soon be ready to report on that subject; I have their report in my pocket; but I am not the member of the committee who was to introduce it. It covers the point which I understand to be raised by the resolution.

The Rev. Mr. MAGILL, of Indiana. I had hoped this matter would go to the Committee on Canons, without any debate whatever. It is one I think of essential importance to the Church. I have many reasons to advance in behalf of the resolution, and I cannot see that the fact that the Committee on Christian Education have some other scheme in view, will in any way make it necessary for me to withdraw the resolution. It can go before the Committee on Canons and receive their consideration, if thought worthy of it, and they can at the same time hold conference, if necessary, with the Committee on Christian Education, and make their consideration agree with respect to the matter contained in the resolution.

The PRESIDENT. I think there can be no harm in the reference to the Committee on Canons.

The Rev. Dr. HAIGHT, of New York. I think there would be very great harm and confusion in it. There is a joint committee of the last General Convention, just about to present their report on the subject of theological education. That committee have had very many meetings. The whole code of canons touching the admission of candidates for Orders, examination, ordination, everything of that kind has been re-written, and is in print, and will be laid before the House to-day or to-morrow, when I

purpose, God willing, to move that it be made the order of the day for next Tuesday. What is the use of taking up one point which has already been presented by a joint committee of both Houses, and which the House know is to come before them, and referring it to the Committee on Canons? They now have, I think, thirteen subjects on the docket ahead; and by the time we get to this in the regular order of business, it will have been already before the House. It is only cumbering your minutes, and cumbering the minutes of the Standing Committee on Canons, and will produce no result.

The Rev. Mr. MAGILL, of Indiana. I do not see any harm, notwithstanding, in this going before the Committee on Canons. I suppose when they take the matter into consideration, they can then report that it will not be necessary to consider that subject, inasmuch as the Committee on Christian Education have taken it into consideration.

The Rev. Dr. HAIGHT, of New York. Not the Committee on Christian Education, but the Joint Committee of both Houses on Theological Education. They are totally different committees.

The Rev. Mr. MAGILL, of Indiana. This has no reference whatever to education.

The PRESIDENT. Would it not suit the gentleman as well to lay it on the table, to be taken up when the general subject of Canons in regard to the ministry comes before the House?

The Rev. Mr. MAGILL, of Indiana. Quite so, if it be understood that this matter be not quashed.

The PRESIDENT. You can call it up at any time.

The Rev. Mr. PINCKNEY, of South Carolina. I move that it be laid upon the table for the present.

The motion was agreed to.

HYMNODY REPORT.

The Rev. Dr. HOWE, of Pennsylvania. The Committee on the Hymnal are ready to report. I have to say that the reading of this report, will occupy some little time, and that it may be necessary to add some remarks in regard to it, in order to its proper understanding by the House. It is now near the time for the order of the day, and I do not wish to commence upon the report unless I shall have the privilege to go through with it. I ask, sir, whether it is the pleasure of the Chair, and of the House that the report shall now be read?

Mr. SHEFFEY, of Virginia. I move that the consideration of the report be postponed until the order of the day shall have been executed.

The motion was agreed to.

PRAYER FOR THOSE ON A JOURNEY.

The Rev. Dr. HERRICK, of New Hampshire. I offer the following resolution, simply to be referred to the Committee on the Prayer Book:

Resolved, That it be referred to the Committee on the Prayer Book to consider whether it is not expedient that an additional Collect shall be added to the "Prayers and Thanksgivings upon special occasions," to wit, a Collect for a person or persons

upon a journey, and, if they think it expedient, to report such additional Collect to this Convention.

The motion to refer was agreed to.

The Rev. Dr. HAIGHT, of New York. Has that resolution passed?

The PRESIDENT. It has been referred to the committee.

The Rev. Dr. HAIGHT, of New York. To consider the expediency of this House making prayers? I never heard such a doctrine in this Church before. I hope the House will reconsider its action. It is a most extraordinary proposition, to direct our Committee on the Prayer Book to report such a prayer, if they consider it wanted. I should suppose the Bishops would be the proper persons to do that.

The PRESIDENT. I did not suppose the resolution read to that effect.

The Rev. Dr. HAIGHT, of New York. Certainly, it does. I did not vote on either side, or I would move a reconsideration at once. It is a perfect disgrace to this House.

The Rev. Dr. WHEAT, of Tennessee. I voted in the affirmative, and move a reconsideration.

The motion was agreed to.

The PRESIDENT. The question now recurs once more on the motion to refer to the Committee on the Prayer Book.

The motion was not agreed to.

The Rev. Dr. HERRICK, of New Hampshire. May I be allowed one word in explanation?

The PRESIDENT. It is too late, now. The vote has been announced.

AUTHORITY OF GENERAL COUNCILS.

The Rev. Mr. EGAR, of Pittsburgh. I offer the following resolution, for reference merely:

Resolved, That it be referred to the Committee on Canons to inquire into the expediency of adopting a preamble or amendment to the Constitution of the Church, recognizing the authority of the undisputed General Councils, and if it appear expedient, to report such preamble or amendment for the consideration of this House.

The Rev. Dr. ANDREWS, of Virginia. I have no objection to the reference, but I have very little doubt how the committee will report. I think it is multiplying subjects of controversy, far beyond anything we have hitherto seen.

The Rev. Dr. HAIGHT, of New York. I shall oppose the reference, but on a different ground from that of my friend from Virginia. I shall oppose it on the ground that I do not want that question raised in this Church. I am perfectly willing to discuss it in private with my friend; I do not care to have it here. I would as soon undertake to raise the question of the authority of the Prayer Book.

Mr. MASSIE, of Virginia. I believe a motion was made to lay this resolution on the table.

The PRESIDENT. If such a motion was made and seconded, it will be put.

Mr. MASSIE, of Virginia. It was made; at any rate I make it now.

The resolution was laid on the table.

BOARD OF MISSIONS.

The PRESIDENT. The hour for the order of the day has arrived.

The Rev. Dr. MEAD, of Connecticut. May I call upon the Secretary to read to us what is the duty devolved on this House, in relation to the matter which is the order of the day? If I understand it, it is to elect by ballot a committee according to the Constitution of the Domestic and Foreign Missionary Society, to consist of three clergymen and three laymen of this House, to act with a committee appointed in like manner by the House of Bishops, which joint committee shall nominate to both Houses the names of persons, whom they deem best fitted to constitute the Board of Missions for the ensuing three years.

The SECRETARY. That is it exactly.

The Rev. Dr. MEAD, of Connecticut. The practice for several General Conventions has been, where but one series of names of three clerical and three lay deputies is nominated in this House, to dispense with the ballot. It is open, however, for every member of the House to make his own nomination. I will now make a nomination, and leave it for others to make other nominations, if they see fit. I nominate on the part of this House for the clerical members of that committee, the Rev. Dr. Beardsley, of Connecticut, the Rev. Dr. Burgess, of Massachusetts, and the Rev. Dr. Paddock, of Long Island, and for the lay members, Mr. Welsh, of Pennsylvania, Mr. McWhorter, of Central N. Y., and Mr. Cornwall, of Kentucky.

After some conversational debate, balloting was dispensed with, and the nominations made by the Rev. Dr. Mead were concurred in.

HYMNODY REPORT.

The Rev. Dr. HOWE, of Pennsylvania. The Committee on the Hymnal are now ready to report.

The report was read as follows:

The Joint Committee, appointed to take into consideration the Psalms in metre and the Hymns authorized to be used in the public worship of this Church, with instructions to make such alterations and additions as they may think expedient, respectfully report that they have made a critical examination of the Selection of Psalms and the Hymns which are now used in this Church, and also of most of the Collections of Hymns which have attained the largest circulation at home and abroad, and beg leave to submit to the Convention the accompanying Hymnal, as embodying the result of their careful and protracted labors.

The general principles upon which they have acted in the conduct of the important work committed to their charge, are these:

1. They have retained all the Psalms and Hymns in our present Collection, the merits of which have been confirmed and established by the popular sentiment of the Church, and which by frequent use have become hallowed and sacred in the minds of our congregations. There may be a few which they would not introduce on the ground of their superior excellence, but these have been retained, because it is believed that their omission would be regretted by many of our clergy and laity; while those that have been rejected, are, for the most part, such as are rarely, if ever, used in public worship. Several of the longer Psalms and Hymns have been abbreviated, which, on account of their extreme length, it has been found impracticable to sing; care having been taken to select such portions as are most expressive and devotional, as well as coherent with each other.

2. The Committee have not thought it expedient to separate the Metrical version of the Psalter from the Hymns, but have grouped both Psalms and Hymns together, under their appropriate headings. A large

number of the Metrical Psalms are far from being an accurate rendering of the original, while such as adhere most literally to the reading of the Psalter, have in no respect improved upon the dignity and beauty of the simple prose.

Sir Roundell Palmer, one of the most accomplished Hymnologists living, has well said, that "no one can read the prose translation of the Psalms in our Bibles and Prayer Books, without feeling their extreme power and beauty; no one can pass from them to the 'Old' or 'New Version' or to any other of the numerous similar attempts, without perceiving that (with very rare exceptions) their power and beauty are gone." Of those who have tried what could be done upon the principle of a strict adherence to the Hebrew sense, he remarks: "It is not too much to say that all of them have failed. From the collective results of their labors it would be difficult to extract more than about fifteen or twenty Psalms or portions of Psalms really good and suitable for singing in our public services; and few of these are of any high order of merit. On the other hand, those writers who, without professing to translate, provided Hymns of their own upon passages or thoughts which they felt to be suitable for the purpose, either in the Psalms or in other parts of Scripture, have contributed to English Hymnody many of its richest treasures. To reckon works of this class among 'Psalms,' as distinguished from 'hymns' (as has been done in many books), is a manifest error; but when they are subtracted, little remains for the sake of which it can be worth while to continue that distinction." In accordance with these views, nearly all the best compilations of the present day have dispensed with the Metrical Psalter, as distinct from the Hymnal.

3. The Committee have been careful to remember that they were appointed to make a collection of Hymns suitable to be used in public worship—not to compile a volume of beautiful Christian poetry, and while they have not adhered invariably to the rule that every Hymn should have the form of a direct address to God,—which would banish from use quite a number of the Psalms which are most highly prized in our congregations, and not less than seventy of the Hymns found in our present collection, and also exclude all other Hymnals in existence,—*poems*, which are merely descriptive, or sentimental, or didactic, have been almost uniformly avoided.

In the selection of material they have chosen, for the most part, such Hymns as are appropriate to common worship, rather than to the purposes of private devotion. For this reason they have omitted Hymns 151, 181, and a few others of similar character, as not expressing the actual feeling and honest sentiments of an ordinary congregation. Inasmuch, however, as there are persons who are likely to have no other books of devotion but those which are provided by the Church, the Committee have thought it expedient to introduce a certain number of Hymns, which are better adapted to private and domestic use than the public worship of the Sanctuary,—such, for instance as some of those which are to be found under the titles,—“Family Devotion,” “Morning,” “Evening,” etc. A few Hymns have been introduced in the “Visitation of the Sick,” which are somewhat longer than would be expedient if they were intended to be sung in the congregation; but it was thought that they would be valuable to be read at the bedside of the sick.

As the best test of a true Hymn is determined by the fact that it meets the average standard of Christian

feeling, and is therefore adopted, by a sort of spiritual instinct, as an element in the universal worship of Christian people, the Hymns which have been added to the present collection are selected mainly from the list of those which have been sanctioned and endorsed by general usage here and abroad; the larger number having been taken from the Hymnals which are received with the greatest favor in our Mother Church of England.

While, in several instances, Hymns have been restored to the form in which they were originally written, it is sometimes found that the alteration of a word or a phrase relieves the Hymn of a blemish which renders it altogether unfit for use in public worship. In a few cases, certain expressions have been modified in our old Hymns, in order to relieve them of what are considered by some persons objectionable phraseology.

The committee have, however, ventured to do this but rarely, as they are well aware of the severe criticism to which such changes are likely to be subjected.

4. The order of arrangement adopted in this Hymnal has been made, up to a certain point, to conform strictly to that of the Prayer Book. In dealing with other topics than those involved in the Christian year, the Sacraments, offices, and seasons of the Church, the committee have adopted, what after careful consideration, seemed to be the most natural and fitting order—passing from the Holy Scriptures to the great doctrine of Redemption, then to the various topics included in the Christian life, then to the solemnities of the future, and closing with such miscellaneous hymns as could not conveniently be arranged under any specific topic. Several new headings have been introduced, while a few of those which are found in our present collection, have been omitted.

The committee cannot but think that the more carefully the order of arrangement which they have adopted is considered, the more entirely it will commend itself to the judgment of the Convention.

5. Every effort has been made to keep the size of this book within reasonable limits. They recommend a larger number of hymns than are found in our present collection, but still it is much below the average number contained in most of the Hymnals adopted by other Christian bodies. Of the 124 Metrical Psalms in our old collection, 76 have, in whole or in part, been retained; of the 212 Hymns, 135 have been retained; of the 60 additional Hymns, 44 have been retained. To these have been added 241 Hymns, taken from other sources; making in all 496.

6. It is believed that this Book of Praise will be found to be in entire doctrinal harmony with the Book of Common Prayer, and with the Holy Scriptures, and to contain nothing which conflicts with the accredited teaching of our Liturgy. A few incidental alterations have been made in certain Hymns, taken from foreign sources, in order to bring them into more exact accordance with the doctrinal modes of expression which are peculiar to our own Communion; while everything that is excessive and liable to perversion in any direction, has been scrupulously avoided. The Committee are entirely satisfied that this Hymnal is not open to criticism, either for excess or defect in the matter of doctrine.

It is hardly possible that a Hymnal could be framed which would in all respects satisfy every individual. Every one has some favorite Hymns which he would not have omitted; and every one is sure to find some Hymns in the compilation which he will wonder should have been thought worthy of consideration.

In these respects, each member of the Committee, in conference, has felt himself obliged to waive his own preferences and make some sacrifice for the sake of attaining the general result.

There is not a Hymnal in existence which, if it were subjected to indiscriminate and ruthless criticism, would not experience serious damage, and all that the Committee ask in behalf of the Collection of Hymns now submitted is that it may be judged by its general merits. It is not claimed that this Hymnal is perfect in its literary execution, and a further revision will possibly disclose some defects of rhyme and rhythm, as well as modes of expression and phraseology, which will need to be corrected. Although the Committee have held several protracted sessions during the last three years, and have individually devoted much time to the important work with which they have been commissioned, it cannot fairly be expected that every error should have been noted in the multitude of Hymns that have passed in review before them. The examination of nearly all the best collections in the English tongue, embracing some eight or ten thousand Hymns, is a work of no small magnitude, and they confidently submit this Church Hymnal as being, in their deliberate opinion, one of the best compilations which has ever been made in this country, or in England. Before deciding upon the merits of the Book, they would respectfully ask the members of the Convention to compare the Hymns which are found under any of the leading topics, with those that are contained in our present collection, and they cannot fail to be impressed with the superior richness and variety of the Hymnal now submitted.

The questions for the Convention to determine are not, however, whether this is the best Hymn Book which it would be possible to frame; but whether upon the whole, it is worthy to be adopted as the Hymnal of the Church, and also whether its adoption is not to be desired, in view of the results which must inevitably ensue if it should be rejected.

It is now many years since the question of a new Hymn Book was first agitated in General Convention. Committee after Committee has been entrusted with the consideration of the subject, and the valuable labors of those who have given their time to this work have greatly assisted the Committee in preparing the present Book. If this effort fails, it is not to be expected that any Committee hereafter appointed, will have the heart to make the sacrifice and expenditure, which are indispensable to the faithful execution of such a task as this.

What then is to be anticipated in the future? After the experience of the last six years, it is not to be presumed that our Churches throughout the land will be content with one accord to return to the use of nothing but the Metrical Psalms and Hymns, which are now bound up with the Book of Common Prayer.

Is it then to be endured that the Church should be flooded with miscellaneous Hymn Books, representing not only every degree of literary taste and culture, but also every variety of doctrine? We are already suffering from the want of uniformity which prevails in this important department of Worship; the complaint is not unfrequently made that the Hymn is given out on one day from one book, and on another from a different collection, and sometimes the same Hymn from two or three books, at the same service. The limited permission given by the last General Convention for the use of such portions of certain Hymn Books as might be licensed by the Bishop, has been much abused, and in some parishes,

Hymnals have been introduced in entire independence of Diocesan authority. This confusion and the evils attendant upon it, will certainly increase, if the Convention should leave the Hymnody of the Church in its present anomalous condition.

The necessity is as imperative for protecting the Church against folly and falsehood in the use of the Hymns which are sung, as it is for establishing the safeguard of a Liturgy. In the Church of England there is no authoritative collection of Hymns, but every congregation may sing what seems good in their own sight, and what is the result? The Rev. Edward Henry Bickersteth, author of the Hymnal Companion to the Book of Common Prayer, one of the very best Hymn Books in existence, says,—“The great diversity of Hymnals, which at present obtains, is a source of real weakness to our beloved Church. It irritates, when it does not estrange, our professional and business men, to find, in every new Church they enter, their last Hymnal useless; the expense to them is small, but the annoyance is great. And to the laboring classes and poor, who migrate from place to place so much more frequently now, than they were wont to do, the cost is not inconsiderable, and the uncertainty what Hymn Book they will find in any Church, is a serious draw back from attending it.

“And then, beyond the irksomeness of these manifold collections and versions, is the far graver peril of the farthest extremes of doctrine being promulged in Hymns adopted and used in the same national Church. Now, it is gratefully admitted by all thoughtful men, that our Prayer Book is constructed on no narrow basis, and is designed to embrace all who hold the truth, within certain widely extended, yet well-defined, limits. But it only needs to compare two or three of those Hymnals which are exponents of the ultra views held by sundry schools, to be convinced that the latitude indulged, far exceeds anything contemplated by the framers of our Liturgy.”

Your Committee believe that the dangers to which we are exposed, in matters of doctrine, if the latitude now indulged shall continue to increase, cannot be over estimated; and they earnestly trust that the Convention will give to this subject the serious consideration which it demands.

In conclusion, they beg leave to submit the following resolutions:

Resolved, That the Hymnal reported by the Committee, be authorized for use in this Church, and that no other Hymns be allowed, except such as are now ordinarily bound up with the Book of Common Prayer.

Resolved, That the Committee be authorized to make arrangements for the publication of this Hymnal, so as to defray all expenses already incurred for printing the present edition.

THOMAS M. CLARK,
GREGORY T. BEDELL,
A. CLEVELAND COXE,
FREDERICK D. HUNTINGTON,
M. A. DEWOLFE HOWE,
HENRY E. PIERREPONT.

The Rev. Dr. HOWE, of Pennsylvania. Bishop Huntington was appointed on the part of this House, there having been three members from the House of Clerical and Lay Deputies. Since that time, he has been elevated to the Episcopate, and consequently there are but two representatives of this House on this committee.

I beg leave to add a few words in explanation of this matter. In the body of the report the committee have asked deliberate and not *impromptu* criticism. Those who were present when a report was made in 1865 will recollect how wide a range, I had almost said, sir, how irreverent a range, criticism upon the hymns then submitted, took. The committee will ask to be continued until the next General Convention, and they submit that if their request to be continued should be granted, and this Hymnal, should in any sense be adopted, members of this House and other members of the Church who have any suggestions to make touching the Hymnal, shall communicate them in writing to any member of this committee, and they will have due consideration. They will ask to be continued for purposes of typographical, verbal, and other emendations. Everybody who has ever printed a book realizes that one cannot tell exactly how the book will appear, till he sees it in print. He sees after the book is put in that form before his eye, slight emendations which he would have made had it impressed him in the same way while yet it was in manuscript; and of course typographical errors occur.

It will be noticed that in the last resolution, the Committee propose the publication of this Hymnal in such wise as to defray all expenses already incurred for printing the present edition. It was desirable to put copies of this book in the hands of every member of this Convention. Your committee were instructed to report in print. That report will be put in the hands of this Convention this morning, and copies of the book before our adjournment. The expense of printing the report, and of getting out this edition for the examination of the Convention, has been between \$700 and \$800. For the purpose of securing the means to meet that expense, and for other purposes, to which I will presently advert, the Committee propose that this Hymnal, if adopted, shall not be bound up with the Prayer Book until further ordered; that is, not until after the meeting of the next General Convention; and that upon this Hymnal, there shall be retained for the benefit of the Church a royalty of ten per cent., such as publishers usually retain; that the money shall be appropriated first, to the expenses of getting out this Hymnal, not including the personal expenses of the Committee in assembling together, which have been very considerable, but only the actual expenses of the printing, and then afterward what more may be accumulated, to meeting the expenses of the General Convention, which we know are very oppressive upon some small and feeble dioceses.

I beg to say, further, that in the selection of this Hymnal, although members of the Committee were deeply impressed with the conviction that there were hymns before this Church written by their associates, which all would be glad to see on its pages, there is not in this book a hymn of which any member of the Committee was the author. They have not taken this means to present their own productions to the Church. It is selected altogether from other sources.

With these remarks, I offer the report and state, as I did a few moments ago, that a printed copy of the report will be furnished to every member this morning. The copies are not now in the House, but before the House adjourns, copies of the Hymnal will be here.

The Rev. Dr. HAIGHT, of New York. Will you not move to make it the order of the day for some specified day?

The Rev. Dr. HOWE, of Pennsylvania. I move that it be made the order of the day for Saturday at 11 o'clock.

The Rev. Dr. CLARK, of New Jersey. I hope the gentleman will name some other day, for the reason that, as all are aware, a number of members are obliged to leave on Saturday quite early, to meet their engagements in different places on Sunday; and I suggest that the gentleman name either Friday or Tuesday.

The Rev. Dr. HAIGHT, of New York. That cuts off two days of every week. How shall we get through business in that way?

The Rev. Dr. HOWE, of Pennsylvania. I have no objection to its being postponed to Tuesday, if that is the will of the House.

Several DEPUTIES. Saturday.

The Rev. Dr. CLARK, of New Jersey. I make no motion.

The Rev. Dr. GOODWIN, of Pennsylvania. I suggest that there are reports that come before us in the morning, and 12 o'clock is usually the hour for the order of the day.

The Rev. Dr. CLARK, of New Jersey. I hope 11 o'clock will be insisted upon, because we can go through with the reports at any rate, and as soon after eleven as is practicable will be the time that this will be taken up.

The PRESIDENT. When 11 o'clock comes, it will be taken up, if made the order for that hour.

The Rev. Dr. GOODWIN, of Pennsylvania. We have a rule about this matter:

"The House shall proceed to the order of the day at 12 o'clock precisely, unless dispensed with by a vote of two thirds."

The PRESIDENT. That is the rule, but the House can make any other rule.

The Rev. Dr. HARE, of Pennsylvania. It requires a vote of two thirds to dispense with the rule.

The PRESIDENT. It is moved that the report and resolutions of the Joint Committee just read, be postponed unto Saturday next, at 12 o'clock, and made the order of the day for that day and hour.

The Rev. Dr. DEKOVEN, of Wisconsin. I move to amend by making the time Tuesday, at 12 o'clock.

The Rev. Dr. MEAD, of Connecticut. I hope that amendment will not prevail, for we need to take up matters of that importance as early as possible, and most of us are from a great distance, and we wish to get through as soon as we can do the Church's business properly, and go home; and because a few gentlemen living near here want to go to their homes, we do not intend to lose the best part of two days in every week.

The PRESIDENT. The question is on the amendment substituting Tuesday for Saturday.

The Rev. Dr. DALZELL, of Louisiana. Allow me to ask if the report on theological education has not already been fixed as the order of the day for Tuesday, at 12 o'clock?

The Rev. Dr. HAIGHT, of New York. No, sir, I said I would propose it, but I have not yet made the report.

The PRESIDENT. The question is on the amendment fixing Tuesday, instead of Saturday.

The amendment was rejected.

The Rev. Dr. DEKOVEN, of Wisconsin. I move another amendment, Friday of this week, which is a day earlier.

The Rev. Dr. WILSON, of Central New York. There is already an order for Friday.

The PRESIDENT. The order already appointed for Friday, the Secretary says is for 1 o'clock, being the report of the Committee on Canons on the Federate Council of New York, and the amendment is to make this subject the order of the day for Friday, at 12 o'clock.

Mr. BURGWIN, of Pittsburgh. I ask for information: if we fix the hour of 12 o'clock for this matter, shall we continue it at 1 o'clock, or will the order for 1 o'clock supersede it at that hour?

The PRESIDENT. I think we should be compelled to take up the order of the day at 1 o'clock.

Mr. SHEFFEY, of Virginia. The first order takes precedence of the second order. The order for 1 o'clock would be the business for that hour in preference to everything else.

The PRESIDENT. So I thought.

Mr. SHEFFEY, of Virginia. Unless by a two thirds vote, when it came up it was postponed to continue the pending subject under consideration.

The PRESIDENT. The question is on the amendment fixing Friday at 12 o'clock, instead of Saturday.

The amendment was rejected.

The PRESIDENT. The question recurs on the original motion, to make this report the order of the day for Saturday, at 12 o'clock.

Mr. SHEFFEY, of Virginia. To avoid any question which may arise, if the subject shall not be disposed of on Saturday, I move to amend the motion by declaring that it shall continue to be the order of the day, from day to day until disposed of.

The Rev. Dr. HOWE, of Pennsylvania. I accept that amendment.

The PRESIDENT. The question will be put on the motion in that shape, that this report be the order of the day for Saturday, and if not finished on that day, that it shall be the order of the day until disposed of.

The motion was agreed to.

NEW DIOCESE IN PENNSYLVANIA.

The Rev. Mr. MARPLE, of Pennsylvania. I desire to call up Message, No. 9, from the House of Bishops, relating to the division of the Diocese of Pennsylvania; and I ask for a statement of the case from the Rev. Dr. Mead, of Connecticut.

Mr. WHITTLE, of Georgia. Will not the gentleman allow me to offer a resolution in connection with the subject just passed upon? It will take but a minute.

The Rev. Mr. MARPLE, of Pennsylvania. I think we had better dispose of this at once. It has been lying on the table for some days.

The PRESIDENT. Will the House take up the message referred to by the Deputy from Pennsylvania?

The motion was agreed to.

The SECRETARY read message No. 9, as follows:

"The House of Bishops informs the House of Clerical and Lay Deputies that it has passed the following resolution:

"Resolved (the House of Clerical and Lay Deputies concurring), That this General Convention does hereby recognize the union with the General Convention of the new diocese to be erected within the limits of the Diocese of Pennsylvania, ratified by the action of the present General Convention, to take effect from and after Wednesday the 8th day of November next; and that the name of the said diocese be determined by the Primary Conven-

tion thereof, with the consent of the Bishop of Pennsylvania."

The Rev. Mr. MARPLE, of Pennsylvania. I move that this House concur in that action.

Mr. BURGWIN, of Pittsburgh. It seems to me that a very grave question arises, which is submitted to us now, and that is, whether the action of the House of Bishops, which was first communicated to this House, and which was concurred in by us, has not ended the matter so far as this House has any control over it. I do not propose to discuss that question now, but I think it ought to be referred to the legal advisers of this House, to inform us whether that be so, or not. My own opinion, gathered from the debate that first took place, and an examination of the Canons and Constitution, is that this action of the House of Bishops is extra-judicial; in other words, that if we concur with them, we shall be exceeding our powers. All we are called upon to do when a diocese has been divided, is simply to give our consent to it; we cannot control its name, nor can we control any other matter concerning it. I do not, as I said before, propose to discuss this matter now, but simply to intimate that there is a question of considerable importance, which ought to be examined into in committee, and then reported to this House, so that we may act intelligently. I therefore move that the whole matter be referred to the Committee on Canons, with instructions to report to this House.

Mr. WELSH, of Pennsylvania. I apprehend the gentleman who last spoke, spoke under a misapprehension. The former action was not complete. An amendment was offered, that amendment was carried; but no one called for the question on the resolution as amended—no vote was taken on it at all. Therefore, it was not completed in any way; it remains on our record as an amendment voted for, but the proposition as amended has never been voted on.

The Rev. Dr. MEAD, of Connecticut. I call for the reading of the message sent to the House of Bishops from this House, in connection with this new diocese.

The SECRETARY. Message No. 2, of the House of Clerical and Lay Deputies, to the House of Bishops, is as follows:

"Resolved, That this House concurs in message No. 2, from the House of Bishops."

Message No. 2, from the House of Bishops, was as follows:

"Resolved (the House of Clerical and Lay Deputies concurring), That this Convention hereby consents to, and ratifies the formation of a new diocese within the limits of the Diocese of Pennsylvania, to be composed of all that part of said diocese, outside of the counties of Philadelphia, Delaware, Chester, Montgomery, and Bucks."

The Rev. Dr. MEAD, of Connecticut. Then, it will be observed that this House concurred with the former message of the House of Bishops. The House of Bishops have now sent down to us another message on the same subject, containing further matter. The question simply is, a question of concurrence with them. That matter was defeated in this House. It was here alleged, with truth, that the matter which is now introduced into the

message of the House of Bishops, before us, had precedent to sustain it; and the House of Bishops, having discovered their defect or neglect to follow that precedent, have now followed it, and have thus far amended their previous action and sent it down to us for our concurrence, and the motion is made that this House do concur. I hold that, unless we have reasons convincing us of the unconstitutionality of such concurrence, we are bound to concur in that.

I will say, moreover, that in relation to the whole matter, the Bishop of Pennsylvania, and some of the members of the new diocese, as well as of the old, have spoken to me, and that it is their earnest wish that the precedent should be followed; and the Bishop of Pennsylvania, particularly, wishes that the time shall be fixed when the new diocese shall come in union with this Convention. He had no objection to the diocese naming itself, but precedent had established the mode of naming it, with the consent of the Bishop; and if that was the will of the House of Bishops, he thought this House would concur in it. I think so, too. I move concurrence in the message of the House of Bishops, as now sent to us, in relation to the new diocese, formed out of the Diocese of Pennsylvania.

The PRESIDENT. That motion has already been made, and an amendment to it has been moved.

The Rev. Dr. LEWIN, of Maryland. I want to ask whether there is any precedent for the Bishops sending a second message on the same subject, without withdrawing the first message. I think the usage of the General Convention has always been that, when a message has been sent by the House of Bishops, if they wish to amend it they ask the withdrawal of the first message, and then amend it.

The Rev. Mr. MARPLE, of Pennsylvania. I think I can probably state how it is that the first action of the House of Bishops was somewhat imperfect. It was the desire of Bishop Stevens to give thirty days' notice for the Primary Convention, which he has already announced will assemble in Harrisburgh, on the 8th day of November. I am privileged further to say that the Lord Bishop of Lichfield has been invited to preach the sermon at that Primary Convention, and has very kindly consented so to do. The Bishop was desirous of such immediate action, that a call might at once be sent throughout the diocese. That call has been extended. The parishes understand that now they can go to work and elect their delegates. There can be no question, either, in regard to one point, with reference to which there seemed to be some doubt: and that is, whether a call of a less period than thirty days in respect to this Convention, would be in accordance with the law of our Church. Action then was taken in the House of Bishops upon these points, primary points we may say. That action was communicated to ourselves, and instantly there was concurrence.

Now there comes action proposed upon certain other points—the naming of the day when the division shall take effect, and the following of the precedent established by this House in reference to

the point, that the diocese shall be named by the Primary Convention, with the concurrence of the Bishop. We are not now establishing a precedent; we are merely following the precedent established by this Convention itself, recorded plainly, distinctly, over and over again in its journals in the hands of all the members of this Church. Now it is not fair to come here and say to us, "Why, you are establishing a precedent; we are voting upon a very serious matter." The precedent is established already. If you are to change it, do so; but do so after the affairs of our diocese shall have been acted upon.

I do not think there is the slightest possibility of any disagreement between the new Diocese to be constituted, and the Bishop of the Diocese of Pennsylvania as to a name. We cannot take the name of the Diocese of Pennsylvania, for we have been declared by the action of this House, confirming the action of the Diocese of Pennsylvania, to be the new diocese. The other diocese has the name of the Diocese of Pennsylvania confirmed to it in every possible way; we cannot take it. I do not believe that when we come to think of the matter, there will be the slightest desire to take it.

The PRESIDENT. Will the member from Pennsylvania permit me say that, upon the amendment offered by the gentleman from Pittsburgh, the single question before us is the grave one whether this matter has not been ended by the concurrence of the two Houses; whether it has not been perfected already. The question of the name of the diocese, and the authority of the Bishop does not come before us now. That will come up on the motion to concur; but the simple question presented by the amendment now, is whether this grave question of law shall not be considered by the Committee on Canons, before we commit ourselves to a precedent on the subject of re-opening all the matters that are determined by the concurrence of the two Houses.

The Rev. Mr. MARPLE, of Pennsylvania. Thank you, Mr. President. I understood the gentleman to make some such point as that, but I thought it was made rather in the way of an inquiry than in any other way.

The PRESIDENT. The proposition was to refer to the Committee on Canons, to inquire into that legal question.

The Rev. Mr. MARPLE, of Pennsylvania. Mr. Welsh thinks he can explain the subject, and I therefore call on him to do so.

Mr. WELSH, of Pennsylvania. I think I can very readily explain it. The minutes will explain it. A clerical deputy from Maryland offered an amendment to a resolution then before us. The question was taken on that amendment. That is on the minutes. The resolution as amended, never was proposed, never voted upon, never passed. On the reading of the minutes the next day the error was discovered. I prepared a resolution, and was about obtaining the floor to offer it, to confirm the action as it stood, when I was informed that there

had been a little inaccuracy, and the House of Bishops were acting again upon it, and would soon send a second Message. Hence I never offered the second resolution, and the first never has been confirmed, and never passed finally.

Mr. SHEFFEY, of Virginia. I ask the Secretary whether he has informed the House of Bishops, that this House has concurred in the message first sent.

The SECRETARY. I so understood the action of the House, and followed the usual precedents in so doing. I think, however, that there is a defect in our action, in the fact that the resolution has not been perfected as originally amended.

Mr. SHEFFEY, of Virginia. I will suggest as the only mode of getting out of the entanglement we seem to be in, as our record shows—I have looked at it—that the subject in parliamentary truth has never been disposed of by this House, that we request the House of Bishops to return the communication, indicating our concurrence in their message No. 2 with respect to the division of the Diocese of Pennsylvania. When that comes back, this House will be in possession of that original message. Then the House of Bishops, if they choose, may ask that that message may be withdrawn from this House, or that original message may be amended by us in conformity with the subsequent message to the House of Bishops, and in that way, the end can be attained without violating the fundamental rule, that a question once disposed of by both Houses cannot be drawn in question again during the same session of the body that has it under consideration. I now move to lay the proposition before the House on the table, with a view to submit a motion to ask the Bishops to return the message, sent from this House, of concurrence with their message No. 2. Then the subject will be before this House again, and if the Bishops desire to withdraw their message No. 2, all they will have to do will be to say so, substituting their message No. 9 as it now stands before the House.

The Rev. Dr. BURGESS, of Massachusetts. Before the gentleman sits down, I should like to ask him one question, with the permission of the House; and that is, whether the first step should not be taken to complete our action; whether the President should not now put to the House the question whether that resolution as amended shall pass the House. If the Secretary of the House of Deputies has sent to the House of Bishops by mistake a message which ought not to have gone there, ought we to go through the form of recalling that mistaken message, because if we take the ground that we have not completed action, the message ought not to have been sent, and hence is an error of the Secretary. But I would submit to the learned deputy from Virginia, whether, if we were to go over the records of past General Conventions, we should not find fifty cases exactly like this, and be disturbed as to what is the canon law, and what has been the action of the Church.

The Rev. Mr. FARRINGTON, of New Jersey. As I understand the matter, the Bishop of Penn-

sylvania has already issued his call for the Primary Convention of the new diocese, and he must in that call have stated that the General Convention had ratified the erection of that new diocese. What becomes of that call? Will not this proposition conflict with that?

Mr. SHEFFEY, of Virginia. I spoke only in respect to the parliamentary mode of proceeding between the two Houses; not with regard to the effect of the legislation.

In answer to the clerical deputy from Virginia, I will say that each House knows the action of the other House by the official report from that House, and the House of Bishops has been notified of the concurrence, officially, on the part of this House with it in its message No. 2. The only way in which the records of the two Houses can be made to harmonize is, by the withdrawal of that message of concurrence, and then the record of this House will show how it will be disposed of afterward. It does not affect the question of the merits of the matter one way or the other. I only desired to put the House in possession of the parliamentary mode of getting out of the difficulty.

Mr. McCRADY, of South Carolina. I should be very glad if the gentleman from Virginia or you, Mr. President, would state what there was incomplete in our action, because according to my recollection it was this—I think it was a suggestion of my own. When we had the message of the Bishops before us, the question was, how should we answer it. Many propositions were made. At last the proposition we agreed upon was a simple concurrence with that message. That was complete legislation at that time, as soon as it had gone out of this House. We might have stopped it at any time.

Mr. SHEFFEY, of Virginia. I will state it exactly. The first proposition that was submitted to the House on the Message No. 2 of the House of Bishops, was the proposition submitted by the lay delegate from Pennsylvania, somewhat to the effect that the House of Clerical and Lay Delegates have received the communication from the House of Bishops, and desire to concur. The clerical delegate from Pittsburgh submitted a motion that the concurrence should be in the form in which this last message of the Bishops indicates, postponing the time to a given day, and giving the right to name the new diocese to the diocese itself, with the concurrence of the Bishop. Then there was a substitute for the entire subject, proposed by the clerical deputy from the Diocese of Maryland. In a parliamentary sense, as between that substitute and the original proposition, there was a comparison between them. But every substitute or amendment, when agreed to, is but in itself an amendment to an original proposition, and before the House can dispose of the subject, it must not only agree to the substitute, but must agree to the original proposition as amended by the substitute. That is the defect in this case. There never was any question put on the original proposition as

amended. The House might very well agree to a substitute, to sweep away all cumbrous matter between it and the main question, but the House, when the question was put to it finally, might vote down the substitute as the perfected measure. That is the defect in our proceedings.

Mr. McCRADY, of South Carolina. I see exactly how it was, and what the point was: but still we have sent to the Bishops a message of concurrence, and, having sent that message, we are bound by it. The question is not whether we pursued the right course or not. Having sent that message of concurrence, I do not see how you can meddle with it; but you want to do so. As I understand, there is something you want to superadd to that.

Mr. WELSH, of Pennsylvania. I yielded the floor to allow the gentleman from Virginia (Mr. Sheffey) to make his explanation, and perhaps if I had added another word, it might have relieved us of some of this embarrassment.

The PRESIDENT. When you yielded the floor, you yielded it in full.

Mr. McCRADY, of South Carolina. If you simply require something else to be done, let us do that. Let us suggest to the House of Bishops to send us exactly what they want to add, and if they wish to add anything that is reasonable, let it be added, and thus we shall get rid of the difficulty stated by the gentleman from Massachusetts. Let the call for the Primary Convention stand on our concurrent resolution, and then superadd what you want.

Mr. SHEFFEY, of Virginia. Allow me to state the reason why that cannot be done, except by violating a rule which is, I think, invariable. If the concurrent resolution of this House is to stand, the subject of the creation and organization of this new diocese in Pennsylvania is disposed of, and the only way in which we can modify our action in any respect is, to get back our first message of concurrence.

Mr. McCRADY, of South Carolina. I defer very much to the authority of the gentleman from Virginia, but I do not see how that is so. We disposed of that much of this subject; we have given our consent to the formation of this new diocese. Now, the House of Bishops want us to do something more,—to fix the day on which this new diocese shall be in union with this General Convention. The thing could not have been done before. We could not put into union with this Convention that which did not exist. It seems to me, therefore, perfectly consistent with our former action, to add what you now want, for I understand what you want is a declaration of the time when you pass into union. If that is what you want, you need not disturb what you have already done.

The Rev. Dr. WILSON, of Central New York. I wish to ask whether the Chair did not announce, the other day, after the substitute had been adopted, that that disposed of the whole matter? I understood the Chair to say, distinctly, that that

disposed of the matter, and there was no need of putting the question on the resolution as amended.

The PRESIDENT. No, sir, I did not. It was an inadvertence, on the part of the Chair, in not putting the subsequent motion.

Mr. WELSH, of Pennsylvania. An inadvertence, on the part of the House, in not calling for it.

Mr. COMSTOCK, of Central New York. I rise to a question of order. I understand that the motion is to lay the pending proposition on the table for the present.

The PRESIDENT. That motion was indicated as one that would be made.

Mr. COMSTOCK, of Central New York. I thought it was made.

The PRESIDENT. I did not so understand, because we have been engaged in an attempt to settle upon the right way of doing this thing.

Mr. BURGWIN, of Pittsburgh. I should like to ask the gentleman from Virginia whether, if this Convention were to adjourn now without further action, as the matter now stands, the formation of the new diocese would not be ratified by this General Convention, and whether it would not be a diocese?

Mr. SHEFFEY, of Virginia. Unquestionably so. The message is conclusive of the action of this body, unless we recall it, and modify it.

Mr. BURGWIN, of Pittsburgh. It has been acted upon, and is now a finality, and it seems to me the only way this matter can be brought before us again is by reconsidering our action.

Mr. SHEFFEY, of Virginia. Allow me to say that a question of reconsideration, is a question in respect to a matter that is within the control of the House; but a matter that has been acted upon by the House of Bishops, and sent down to this House for its action and concurred in, ceases, in Parliamentary law, to be under the control of this House, without the consent of the other. Hence, we must send a message to them recalling our former action, in which the House of Bishops may or may not concur. If they concur, then a motion to reconsider, or any other parliamentary motion, will be in order; but if the House of Bishops refuses to concur, there is an end of the matter.

Mr. McCRADY, of South Carolina. Now, Mr. President, what is it that you want to superadd? We have given our consent to the formation of this new diocese. You want to do something more. What is it? I call for the reading of the message from the House of Bishops, on which gentlemen desire action.

The SECRETARY read Message No. 9, of the House of Bishops.

Mr. McCRADY, of South Carolina. From the reading of that message of the House of Bishops, I do not see why we cannot concur in it at once. They ask us to do something which we refused to do the other day, and the question is, whether we will now consent to do that or refuse to do it. There is no doubt that that very question was discussed here, but not on their message. Now they have sent us a message recognizing our action heretofore, but wishing to add something to it. It is something which we would not agree to do on our own motion the other day; but now the sub-

ject is brought up in an entirely different way. It is brought up by a message from the House of Bishops, asking us to pass a resolution declaring this new diocese to be in union with the General Convention at a certain time, and in regard to the name of that diocese. There is nothing at all inconsistent with our former action. I do not see that we are in the difficulty that I thought we were in at first.

Mr. BURGWIN, of Pittsburgh. I agree entirely with the gentleman who has just taken his seat. The Bishops, in the message now sent to us, expressly set forth that the creation of this diocese has been ratified. That, in my opinion, ends the matter so far as this Convention has any control over it. Still it presents a grave question whether they have or not, and I do not think that this House is now prepared to decide that question, and my original motion was that the message now sent from the House of Bishops, inasmuch as it raised that question, a question of constitutional right, should be referred to the Committee on Canons, that they may inquire and report to this House whether, when the formation of a diocese has been ratified by the General Convention in both Houses, we then have any right to say when its ratification shall take effect, and who shall have the control over the naming of the diocese.

In order to show that this question, to a certain extent, has been passed upon, I call attention to Canon 6, title III., which prescribes what has to be done, after the formation of a diocese has been ratified, in order to perfect its organization:

"Whenever any diocese shall be formed within the limits of any other diocese, or by the junction of two or more dioceses, or parts of dioceses, and the same shall have been ratified by the General Convention"—

—which, I claim, is now the state of facts before us—

—"the Bishop of the diocese within the limits of which another is formed, or in case of the junction of two or more dioceses, or parts of dioceses, the Bishop of eldest consecration over the dioceses furnishing portions of such new diocese, shall thereupon call the Primary Convention of the new diocese for the purpose of enabling it to organize, and shall fix the time and place of holding the same, such place being within the territorial limits of the new diocese."

Now, sir, that is the only matter which remains to be done after this Convention shall have ratified and signified their assent to the formation of the new diocese.

The Canon goes on, further, to provide that, in case there shall be no Bishop authorized to call this Convention, it shall be called by "the Standing Committee of the eldest of the dioceses, by the junction of which, or parts of which, the new diocese may be formed;" and then it goes on to say, which, I think, is in derogation of the right now claimed to fix the time when this thing shall take place, when the new diocese shall be considered as created:

"And such Standing Committee shall make such call immediately after the ratification of a division by the General Convention."

Now, sir, if this Convention, after it has ratified the formation of this new diocese, has the power still to fix the day when it shall take place, then the Standing Committee and the Bishop of the diocese cannot immediately fix the time and place for the organization of the new diocese.

I said, in the opening remarks I made, that I was not prepared to discuss the matter fully. It is a matter now sprung upon the House; but it is certainly one of very grave importance, and one which, I think, we are not prepared now to decide finally.

The Rev. Dr. NORTON, of Virginia. I think the mover of this subject must now be entirely satisfied to let it rest. I do not wish to call the attention of the Chair to the fact that the hour for the order of the day has arrived, if we can settle this matter now by a reference of it to the Committee on Canons, and as the mover of the subject is willing that it should take that direction, I hope other gentlemen will be satisfied to allow it to do so.

Mr. BURGWIN, of Pittsburgh. With that understanding, I have nothing further to say.

The Rev. Mr. MARPLE, of Pennsylvania. I am tired of the matter, and if it will simplify the business of the Convention, I am entirely willing that it shall go to the Committee on Canons.

Mr. FRANKLIN, of Pennsylvania. I do not see that we shall accomplish anything by that, because when it comes back the same discussion will be had over again.

Mr. BURGWIN, of Pittsburgh. I think if it has the careful consideration of the Committee on Canons, and they report the reasons why they come to the conclusions they recommend this House to adopt, it can readily be disposed of.

Mr. DEROSSET, of North Carolina. I understand the pending motion to be on referring this matter to the Committee on Canons, for the purpose of informing this House whether there is any constitutional difficulty in the way. There is no doubt that there is a constitutional difficulty in the way, in the mind of many members of the House, and therefore I propose as a substitute for the motion to refer to the Committee on Canons, the following resolution:

Resolved, That this House respectfully declines to concur in Message No. 9, of the House of Bishops, on the ground that the proceedings by the Convention on the subject of the formation of a new diocese in Pennsylvania, required by the Constitution and Canons have already been taken, and this House deems it unnecessary, if not beyond the authority of the Convention, to take the action proposed in the Message No. 9, referred to.

The Rev. Dr. NORTON, of Virginia. I do not wish to call the attention of the Chair to the fact that the hour has arrived for the order of the day, if this matter can be settled as I propose. If we can take a vote on this amendment now, well and good; otherwise, let us proceed to the order of the day.

Mr. BURGWIN, of Pittsburgh. I am perfectly willing to yield the floor, provided it be the will of the House to proceed to vote on the proposition of the lay gentleman from North Carolina. If that is carried, of course it will dispose of the subject

now. If it is not carried, then we can take a vote on my motion to refer to the Committee on Canons.

Mr. DEROSSET, of North Carolina. I understand the gentleman is willing to accept this as a substitute.

Mr. BURGWIN, of Pittsburgh. I shall vote for it myself; but I have no right to accept it as a substitute, because that would cut me out of the privilege of moving my own amendment, in case this is voted down.

Mr. DEROSSET, of North Carolina. I move it then as a substitute.

Mr. BURGWIN, of Pittsburgh. I had nearly got through with all that I wished to say, except to remark that I understand the Bishop of Pennsylvania has already called the Primary Convention to assemble, showing, of course, that the House of Bishops, and the Bishop of Pennsylvania, consider the matter as at an end.

The Rev. Dr. HARE, of Pennsylvania. I merely wish to call the attention of the House to the unpleasant predicament in which, if they pass the last resolution here, they will place two of the members of the deputation from Pennsylvania. Two of those deputies are from the district outside of the five counties named. If what has been already done is a finality, if the new diocese is already set off, the deputation from Pennsylvania is deprived of two valuable members. Article II. of the Constitution runs thus:

"The Church in each diocese shall be entitled to a representation of both the clergy and the laity. Such representation shall consist of not more than four clergymen and four laymen, communicants in this Church, residents in the diocese."

But if we have already set off a new diocese outside of the five counties that have been named, these two gentlemen—

The PRESIDENT. Doctor Hare will suspend his remarks to allow us to receive a message from the House of Bishops.

AID TO CHICAGO—PASTORAL LETTER.

A message (No. 15), from the House of Bishops, announced that that House had passed the following resolutions, and transmitted the accompanying pastoral letter:

Resolved, That this House non-concurs in the second resolution contained in Message No. 10 from the House of Clerical and Lay Deputies, with the information that they non-concur therein for the reason, that they have already taken what seems to them to be preferable action in relation to the subject, which action is communicated herewith.

Resolved, secondly, That the agent of the Associated Press in this city be asked to send out as speedily, and as generally as possible, a dispatch to this effect:

"The Bishops of the Protestant Episcopal Church request that, where practicable, collections be made in aid of the sufferers at Chicago, on Sunday the fifteenth of October, in the congregations under their jurisdiction.

Resolved, thirdly, That the following pastoral letter be signed by the members of this House, and sent immediately to their dioceses:

To the Clergy and Laity of the Protestant Episcopal Church in the United States :

Brethren: A conflagration probably unparalleled in the history of Christendom in its extent, and in the magnitude of the loss it has occasioned, has swept over the rich and prosperous city of Chicago, leaving it in ruins, consigning many persons to death in one of its most dreadful forms, reducing many from wealth to poverty, and many more from competence to the verge of starvation.

In the presence of so fearful a calamity, when the arm of God is laid bare before us, while yet His bounties are continued to us and you, and some of you are enriched with a large share of His temporal gifts, we, your Bishops and Fathers in God, call upon you in His name, and for His sake, and in remembrance and in imitation of our dear Lord, to whose service and example you are bound, who did Himself go about doing good to the bodies as well as to the souls of men, and who has taught us that the good we do to our suffering brethren He will acknowledge in the Last Day as done to Himself, we call upon you to give at once from your wealth, and even from your poverty, freely, gladly, and liberally in aid of our heavily afflicted brethren in Chicago; and we ask that in every congregation in our dioceses and missionary jurisdictions, collections be made on the fifteenth day of October, or as soon thereafter as may be, and be at once remitted to the treasurer of each diocese, to be by him forwarded to the persons in Chicago authorized to receive such contributions.

And we pray brethren, that the grace and guardian care of God may rest on you and yours.

We remain, faithfully and lovingly, your Bishops and pastors, (Signed by all the Bishops.)

The Rev. Dr. AYRAULT, of Central New York. I move that this House concur in the message of the House of Bishops.

The Rev. Mr. EGAR, of Pittsburgh. Is it necessary to concur in that message?

The PRESIDENT. I do not think it is.

The Rev. Dr. MEAD, of Connecticut. It is a pastoral letter of the Bishops to their flocks. We have nothing to do with it, except that the clergy have to present it and make the collections, and do all they can to get all they can.

Mr. WITHERS, of Virginia. I will ask if it does not require some action, for the reason that they nonconcur in one of our resolutions, and send it back to us with a notification of that fact?

The PRESIDENT. That makes our resolution a nullity,

NEW DIOCESE IN PENNSYLVANIA.

The House resumed the consideration of message No. 9 of the House of Bishops.

The Rev. Dr. HARE, of Pennsylvania. The simple point which I desired to make was, that this House if it shall decide that the Diocese of Pennsylvania is already divided, necessarily unseats two of its own members. This will be a most painful thing to do. I am sure that every member of the deputation from Pennsylvania will, as a matter of feeling, protest against it.

The Rev. Dr. GOODWIN, of Pennsylvania. I am afraid, Mr. President it is—I know at all events

it must seem—great presumption in me to suppose that I can throw any light upon this entanglement into which the House has fallen. These questions of absolute origin and of existence *in potentia*, and existence in action are exceedingly difficult to be discussed in an assembly of three or four hundred men, no matter how learned; and that is precisely the case into which we have fallen. Does this diocese exist or does it not exist? In some senses it exists and in some senses it does not exist; and how does that depend upon us; and how can a diocese make itself, and how can we make a diocese, etc.? These are very deep and troublesome things if we are to enter into them with a thorough discussion of such matters here. But I think we shall find, if we are looking at the matter really before us, we are simply making great trouble about technicalities and metaphysics. I do not want to go into a metaphysical disquisition upon the subject, nor far into the technicalities; we are doing simple business here, and I think we ought not to be turned aside from the accomplishment of the business before us by pure technicalities. If it be true that this action cannot be taken now in concurrence with the House of Bishops, then it has been true all along in the past action, and in the precedents long established by this General Convention, that we have been doing surplusage; not only surplusage in our resolutions admitting new dioceses, but matter which actually interfered, Constitutionally interfered, with the formation of those dioceses, for if we cannot now determine the day when a new diocese shall be admitted into union with the General Convention, we could not have determined it in the original resolution, for, if it had been determined in the original resolution, the same argument would apply that the Bishop could not carry out the Constitutional and Canonical direction in regard to his calling the Primary Convention. Just as certainly has every act of this Convention which has had in one original proposition these matters, which are now brought forward as supplemental of a past proposition, been unconstitutional and uncanonical.

I think there is great force in the suggestion of my colleague that it is but fair that we should pass upon the case before us, according to past precedents, and let business be done as it has been done, and well done, and satisfactorily done, from time to time in all times past. Let us do that, and then if we want to go into technical and metaphysical disquisitions and settle exactly the order and the force of every step in these processes; let us go to work and do it on its own account and for its own sake. Now, can we get out of this difficulty without violating any principles of Constitution or law, is the question.

Mr. President, it seems to me that there are some difficult terms, as one will see, in the article of the Constitution, like these: "admitting a diocese," "consenting to the formation of a diocese," and "ratifying" that consent. Here are three things, "admitting," "forming," "ratifying," or rather if

we put them in metaphysical order, forming a diocese, ratifying its formation, and admitting it to the General Convention. It is alleged that ratifying the consent of the Diocese of Pennsylvania to the formation of this new diocese completes everything that can be done. The diocese is not yet formed; consent has been given to its formation, and that consent has been ratified. The diocese will organize itself. Is it admitted to this Convention or to the general Church?

It stands thus: "A new diocese to be formed from one or more existing dioceses may be admitted under the following restrictions;" and one of those restrictions is that it must have the consent of the Convention of the diocese and of this Convention. Now if we are going into metaphysics and technicalities, is the condition of an action the action itself? "May be admitted under the following restrictions:"

What are the restrictions? "No new diocese shall be formed or erected within the limits of any other diocese unless with the consent of the Bishop and convention of each of the dioceses concerned, as well as of the General Convention." That is one of the restrictions. It must have the consent of the diocese concerned, the ratification by the General Convention of that consent, and then it may be admitted.

Now, I hold that this action of the House of Bishops, is strictly, properly, constitutionally, the supplement and completion of the action of the House of Bishops in which we are supposed already to have occurred, and is simply putting into two resolutions what has heretofore almost always, if not always—always as far as I know—been the action of the General Convention, only I suppose in one resolution. That resolution might have been divided into parts at any time, and here we have the separate parts.

I hold that the new diocese is not yet organized, that it is not yet formed, in the sense of the constitution, and that therefore the members of the delegation from Pennsylvania in this House have a right to their seats fully and properly. When the new diocese shall have a right to its connection with this General Church, when it shall be admitted, another question may arise. Is that contained in the action already passed? I suppose it is not contained. Then the question arises, when does that action come into effect? It is an action, mind, consenting to and notifying the consent of the diocese of Pennsylvania to the formation of the new diocese. That is the act. And now has that diocese already come into being? There is the metaphysics of it, I know, but I think not. I think they have to organize themselves, they have to form themselves; we consent to their formation. We admit them; but when? Now suppose that had been contained in the original resolution, it would have been according to all former precedent. We put it in now as a supplement. Is not that entirely proper? Suppose a legislature passes an act and omits to include in that act, the date when it shall go into

effect, are they thereupon estopped from completing that act by adding afterward another act stating when that shall go into effect? That is simply a question, it seems to me, for laymen to settle. I leave it to them. If there be no real substantial question here as to our power of proceeding, and as to the propriety of our proceeding in this case, I cannot conceive why we cannot come plainly and squarely to the question, will or will we not concur in the action of the House of Bishops? That is the conclusion to which my whole speech was intended to tend, and I leave it with the House.

The PRESIDENT. Will the House permit me to make a statement in regard to the question of order as it occurs to me? The propositions which have been made upon various sides, involve very serious questions, except this one, that if the House wishes to open this matter, it should take the course indicated by the gentleman from Virginia—to place ourselves right, to make the record right—and if the matter had been laid upon the table at the time that suggestion was made, it might, by this time, have been consummated by messages between the two Houses, and that would avoid all these difficult questions of law and constitution.

Mr. CHURCHILL, of Kentucky. Mr. President, I wish to offer two resolutions, which, I think, will simplify the whole matter, and meet all the objections made by the deputy from Virginia, for whose judgment on all parliamentary matters I have the most profound respect. The first is:

Resolved, That this House confirm the action of its Secretary in announcing to the House of Bishops its concurrence in Message No. 2.

That would cure all the parliamentary defects, in my judgment. Then, in the next place,

2. *Resolved*, That this House now concurs in Message No. 9.

I think this meets the whole question. There will be no parliamentary defect left.

The Rev. Mr. EGAR, of Pittsburgh. I submit that those resolutions are not on the subject before us, except the second one, and that is provided for. The subject before us is Message No. 9, and until that is disposed of, I submit we cannot confirm the action of the Secretary with respect to the concurrence of this House in Message No. 2.

Mr. CHURCHILL, of Kentucky. I will remark that the deputy from Virginia has proposed a somewhat circuitous way of getting at the same thing. It was undoubtedly the understanding of a majority of the members on this floor that Message No. 2 had been concurred in. I know it was my understanding, and I think it was the understanding of nine out of ten of the members of this House that Message No. 2 had been concurred in. The Secretary so understood it, and he transmitted a message, in accordance with the general understanding, to the House of Bishops. I merely wish to confirm the action that that was the understanding of the House, [and further, to concur in] Message No. 9, which will dispose of the whole subject.

The PRESIDENT. Such a resolution is unnecessary, and out of order. The action of the Secretary, in sending the message to the House of Bishops, stands until the House chooses to take it back. We cannot confirm a ministerial act which is good in itself. It is simply a matter of discretion with this House whether they will go back upon their action and rectify the difficulty.

Mr. CHURCHILL, of Kentucky. This proposition of mine is merely to confirm that action.

Mr. DEROSSET, of North Carolina. I think the resolutions offered by the gentleman are not in order, because there is a resolution now before the House as a substitute for one previously introduced.

The PRESIDENT. The first resolution of the gentleman from Kentucky, I consider not in order, because the House cannot do any such thing.

Mr. DEROSSET, of North Carolina. If it is in order for me to make a remark, I will say that the substance of the first resolution offered by the gentleman from Kentucky is incorporated in the resolution I offered. The House there assert that all that is necessary to be done by the Convention in the way of giving consent and ratifying the establishment of the new Diocese to be formed within the Diocese of Pennsylvania has already been done. Now, sir, to meet the difficulty stated by the gentleman from Pennsylvania, the Rev. Dr. Hare, I think it is only necessary to consider that this House has given its consent and ratified the proceedings which have been taken toward the formation of a new Diocese in the Diocese of Pennsylvania. That diocese has not yet been formed and cannot be formed until the adjournment of this Convention, because the necessary proceedings as required by the canon have to be taken; time must be given to elect delegates, and for them to assemble and act and form that new diocese, which is not formed until the Convention assembles and forms it, and there is ample provision in the Constitution and canons for all that to be done.

The Rev. Dr. HAIGHT, of New York. I ask for the reading of the exact resolution before the House.

The SECRETARY. Mr. DeRosset, of North Carolina, offers the following as a substitute for the resolution of the gentleman from Pittsburgh, which is an amendment to the motion to concur:

Resolved, That this House respectfully declines to concur in Message No. 9 of the House of Bishops, on the ground that all proceedings by the Convention on the subject of the formation of a new diocese in Pennsylvania required by the Constitution and Canons, have already been taken, and this House deems it unnecessary, if not beyond the authority of the Convention, to take the action proposed in the Message No. 9 referred to.

The Rev. Dr. HAIGHT, of New York. I move that this House take the question in ten minutes.

The PRESIDENT. It is moved that the House take the question upon this resolution in ten minutes from the present time.

The Rev. Dr. HAIGHT, of New York. The reason I do it is that we are wasting the precious time of this Convention on a mere technicality. What does it avail, when you look at the great business before this Council, whether this House has been treated with perfect propriety by the House of Bishops? What does it avail whether we have had a privilege slighted or not? What earthly difference will it make three months hence whether you decide this question

one way or the other? I submit to this House that this is a most fearful waste of time, and that we are incurring tremendous responsibility in view of all that is coming before us to do. ["Question." "Question."]

The PRESIDENT. Does the House want the question on the resolution or on the motion of the gentleman from New York?

Several DEPUTIES. On the resolution.

The Rev. Dr. HAIGHT, of New York. I will withdraw my motion if the House will take the question now.

Mr. JUDD, of Illinois. I move to refer the whole subject to the Committee on Canons.

Mr. BURGWIN, of Pittsburgh. That motion is not in order because the present question is on a substitute for a motion to refer to the Committee on Canons.

The PRESIDENT. The question is on the adoption of the resolution, offered by the gentleman from North Carolina as a substitute.

The Rev. Dr. GOODWIN, of Pennsylvania. The clerical delegation from Pennsylvania ask that the question be taken by dioceses and orders.

Mr. JUDD, of Illinois. I inquire whether, if this proposition be voted down, the next question will not be on the reference to the Committee on Canons?

The PRESIDENT. It will be.

Mr. BURGWIN, of Pittsburgh. If I understand the question aright, it is on the substitution of the proposition of the gentleman from North Carolina, for my motion to refer to the Committee on Canons. Consequently if his motion is carried, it disposes of the whole matter. If it is not carried, then the vote will next be taken on my motion to refer to the Committee on Canons.

The PRESIDENT. Yes, sir.

Mr. SHEFFEY, of Virginia. I desire to raise a question of order that lies at the foundation of this vote, so as to save the House the trouble of taking it. I say that it is not in order after the motion to commit to the Committee on Canons, to submit a resolution by way of amendment to the original proposition. The gentleman from Pittsburgh moved to commit this subject to the Committee on Canons. Your rules declare "that when a question is under consideration, no motion shall be received unless it be to lay it on the table, to postpone it to a certain time, to postpone it indefinitely, to commit it, to amend it, or to divide it; and motions for any of these purposes shall have precedence in the order herein stated." So that a motion to commit takes precedence of a motion to amend and must first be put to the House.

The PRESIDENT. The gentleman is correct. The question is on the motion to refer this message of the House of Bishops to the Committee on Canons.

The motion to refer was agreed to.

RITUAL UNIFORMITY.

The Rev. Dr. BEARDSLEY, of Connecticut. The unfinished business of yesterday is my resolution in reference to the appointment of a committee on our part to meet the Committee of the Bishops.

The PRESIDENT. The matter now before the House is the unfinished business of yesterday, being the resolution of the clerical deputy from Connecticut, in response to the message of the House of Bishops with regard to the appointment of a joint committee to consider the report made to the House of Bishops by their Committee on Ritual Uniformity. The Secre-

tary will read the resolution of the Deputy from Connecticut.

The SECRETARY read as follows :

Resolved, That the committee on the part of this House do consist of five presbyters and five laymen, to be elected by ballot.

The Rev. Dr. NELSON, of Maryland. I move to amend that resolution so as to make it read :

Resolved, That the committee on the part of this House consist of five clerical and five lay deputies, who shall be selected and appointed by the President of this Convention, in conjunction with the Rev. Dr. Andrews, of Virginia, and the Rev. Dr. Mead, of Connecticut, two of the senior members of this House.

We have had some experience this morning as to the difficulty of obtaining a committee by election, and in order to obviate that difficulty, I propose to refer the matter to the President of this body, together with two of the oldest and most honored of the delegates to this House. My reason for this proposition is, that we thereby settle this matter at once. It will be extremely difficult to elect by mere nomination five gentlemen of each Order in this House, but if the House will only adopt this resolution of mine, if they will only for a single moment have a little faith and confidence in gentlemen whom we know to represent both sides (if there are sides in this House), I am very sure that when that solemn responsibility is laid upon them of appointing for this purpose gentlemen of this House, they will take care to select those who shall represent the whole spirit of the House.

Mr. DEROSSET, of North Carolina. I wish to move an amendment. The original resolution, I understand, provides, "That the Committee on the part of this House shall consist of five presbyters and five laymen, to be elected by ballot." I propose to add, "upon the nomination of a committee, consisting of one member from each diocese represented in this Convention, each said member to be selected and reported to the Secretary by the delegation to which he belongs."

In that way every diocese will have an almost direct voice in the nomination of this important Committee. I think this ought to meet with the approval of the House, and I hope it will.

The Rev. Dr. NELSON, of Maryland. I think the House will at once see the difficulty which would arise if we adopted the amendment of the gentleman who has just taken his seat. The result would be to put it in the hands of a committee of forty, an unwieldy body, whereas I commit it to a committee of three, who can at once act; and surely, as I said before, we can trust these three gentlemen.

The Rev. Dr. DEKOVEN, of Wisconsin. I should like to say one word on the proposition of the gentleman from Maryland. I suppose if this House wish to trust in any person, they would be quite willing to trust the President of this House to appoint the Committee; but the object was that the House itself should elect the Committee. Of course, if it be simply a matter of convenience and a matter of no account, the President, of the House can do it as well as anybody else; and it certainly will not express the mind of this House if any three gentlemen, I do not care what their views are, are chosen to nominate this committee. Certainly the proposal of the gentleman who moved to amend the amendment of the gentleman from Maryland, would be far better, for every delegation would then be able to express its mind.

It seems to me that we ought to consider that this subject is a very far-reaching one. It affects the Church very widely; it affects many members of this Church in things that are very dear to them; and certainly this House ought to do everything it can to make that committee a committee which represents the mind of the Church as represented in this Convention; and any committee, I do not care who they are, that are composed simply of three gentlemen, cannot do so, unless that committee be elected by this House.

The Rev. Dr. ANDREWS, of Virginia. I propose to let the matter be referred to our President. He was elected unanimously to that position, and I, for one, am perfectly willing to trust the Chair, and I withdraw the honor my friend from Maryland proposed to confer on me.

The Rev. Dr. MEAD, of Connecticut. I second that suggestion.

The Rev. Dr. ANDREWS, of Virginia. Let the Chair appoint the committee to confer with the Bishops.

The Rev. Mr. BRONSON, of North Carolina. It seems to me important that we establish all the safeguards possible against the haphazard method of balloting by this Convention for such an important committee. What do we want? We want in the first place a fair and just representation of the different parties that are interested in the determination of this matter. We want, secondly, a representation of the different sections of the Church as represented in different parts of the country, in the determination of this matter. We want the action of this committee, also, to go forth with the support and with the approbation of the Church as expressed in the representation which different parties may secure in this committee, as well as expressed by the approbation secured from the different sections of the country. Now, how are we to secure that? Certainly some nominating committee seems to me a safeguard. It may not secure the whole, but a nominating committee may be a safeguard in securing this very desirable end. Now if we trust it to the ordinary ballotings of this House, what will be probably the course that will result? Different persons will be nominated, perhaps half the Convention will be nominated here to compose the different members of this committee. We go through different processes of balloting; after awhile we establish an arbitrary rule that the first five members who have secured the largest number of votes shall be those composing this committee. The five members secured by this arbitrary rule may be five members representing simply one shade of sentiment or representing one section of the Church as represented here in the different dioceses extending over the Church. Now what better security, what better safeguard against such a result can we have than the appointment of an intermediate committee, a committee representing as far as possible the different dioceses, by which we may gather up the different sentiments of the Church? This may not secure the whole, but it seems to me the most effectual safeguard that we could establish at present.

The Rev. Dr. NELSON, of Maryland. I wish to withdraw my amendment and accept that one suggested by the clerical deputy from Virginia, and that is that the appointment of this committee be referred to the President of this body. That is my amendment.

The Rev. Dr. SPALDING, of Wisconsin. It seems to me that one objection has not been stated to this proposition to have the President or any three

gentlemen nominate this committee. There will always be after every action some dissatisfied party, and these gentlemen will then be subjected perhaps to the charge of having more or less packed the committee. As was justly said by my colleague, this is a very important question; we are all interested in it; we can well spend the time to have the committee just right; it will take but a little time to arrange this matter now so that it can all be quieted down and settled. I do not believe any committee will be satisfactory except one that has been elected by a free vote of all this House. I therefore hope we shall ballot for the committee.

The Rev. Mr. EGAR, of Pittsburgh. I beg leave to offer this as a substitute, to be put in the proper place in the resolution:

"And that that committee be elected in this way: that the clerical deputies from each diocese nominate one clerical deputy of their number, and the lay deputies from each diocese nominate one lay deputy of their number; and that these clerical deputies meet and elect five of their number, and the lay deputies five of their number, who shall be the committee on the part of this House.

Mr. MATTHEWS, of Massachusetts. I hope we shall agree to submit the whole subject to the Chair to nominate this committee, or to the Chair with the gentlemen proposed, who are the oldest members of the House. I have full confidence in the knowledge, discretion, and Christian character of any of these gentlemen, that we shall get a better nomination and better men—men that shall represent all the parties in the Church—if there are such things as parties, and I believe there are here—by having some one or two to appoint that committee, rather than going back to the whole House. I believe that we cannot get the different parties into this committee if we go into a general election. It is well known, I presume, that there is one party here that probably absorbs two thirds of the entire vote of this Convention, perhaps three fourths. Therefore, if we go into a vote and they take their special men, we shall not get what our friend from Long Island [the Rev. Dr. Schenck] desired, the Ritualist, and we may not get any of the Low Church party. [Laughter.] Therefore, I hope that the nominations will be made by the Chair, or by the gentlemen proposed to act with the Chair, and I should be willing to take any High or Low Church gentleman in this House who has had experience in this House. I believe that there is not a gentleman here but what has come here to legislate for the whole interests of the Church, and they do not want to exclude any party, High or Low, from this committee. Therefore, I hope we shall adhere to the proposition made, that the committee shall be nominated by the Chair.

The Rev. Dr. BEARDSLEY, of Connecticut. It will be perfectly agreeable to me to have the last amendment adopted, allowing the President to appoint the committee. I have no objection to that course at all. [Question! question!]

The PRESIDENT, *pro tem.* [The Rev. Dr. Jackson, of Connecticut, in the Chair]. The question is called for. The question is on the substitute of the gentleman from Pittsburgh [the Rev. Mr. Eggar], in these words:

"That the committee be elected in this way: that the clerical deputies from each diocese nominate one clerical deputy of their number, and the lay deputies from each diocese nominate one lay deputy of their number, and that these clerical deputies meet and elect five of their number, and the lay deputies five of their number, who shall be the committee on the part of this House."

The substitute was rejected.

The PRESIDENT, *pro tem.* The next question is on the amendment of the gentleman from North Carolina [Mr. De Rosset], to add

"Upon the nomination of a committee consisting of one member from each diocese represented in this convention, each such member to be selected and reported to the Secretary by the delegation to which he belongs."

The amendment to the amendment was rejected.

The PRESIDENT, *pro tem.* The next question is on the amendment of the Deputy from Maryland [the Rev. Dr. Nelson] as modified:

"That the committee of this House to confer with the Committee of the House of Bishops on the subject of Ritual be appointed by the Chair."

The amendment was agreed to.

The PRESIDENT, *pro tem.* The question is on the adoption of the resolution as amended.

The resolution as amended was agreed to, as follows:

Resolved, That the committee of this House to confer with the committee of the House of Bishops on the subject of Ritual, be appointed by the Chair.

The PRESIDENT, subsequently resuming the Chair, said: I should have declined the task of appointing the Committee which has been imposed on me if I thought I had the power to decline; but I am elected to an office which compels me, in my judgment, to do in that matter whatever the House requires.

INSERTION OF "FIRE" IN THE LITANY.

The Rev. Mr. SNYDER, of Illinois, submitted the following resolution:

Resolved, That the Committee on the Prayer Book be instructed to report whether it be well to add the word "fire" after the word "pestilence," in the petition in the Litany, so that it would read, "From lightning and tempest, from plague, pestilence, fire, and famine, from battle and murder, and from sudden death," etc.

The Rev. Dr. HALL, of Long Island. I move to lay that on the table.

The motion was agreed to.

COPYRIGHTING CHURCH BOOKS.

The Rev. Dr. ADAMS, of Wisconsin. I wish to bring before this House a matter in which I think every member of this House will agree with me, and yet I think very few gentlemen have thought upon it, and that is the matter of copyrighting Church books. This question was discussed when our Prayer Book came before us, whether the Convention, or trustees in behalf of the Convention, should take out a copyright for it; and, as will be found in the Journal, it was decided that no copyright should be taken out, but

that the Prayer Book should be offered to any printers or others who should choose to print it. What is the consequence of that? The consequence is that we have had the Prayer Book executed in every form and at every price, and we have at the same time the most expensive Prayer Books that can be imagined—articles of luxury, as they call them—and we have Prayer Books for the million. Now, Mr. President, if this had not been done, what would have been the case? The case would have been that the copyright would have been in the hands of somebody, trustees or others—

The Rev. Dr. HAIGHT, of New York. I submit that my brother is out of order. There is no subject before the House.

The Rev. Dr. ADAMS, of Wisconsin. I am moving a Canon on this point.

The Rev. Dr. HAIGHT, of New York. Then I insist that you shall state your motion.

The Rev. Dr. ADAMS, of Wisconsin. I will state my motion, and I hope I shall be permitted, as I have opened this subject which ought to be opened, to get my talk out. [Laughter.] The proposed Canon which I offer is in these words:

No Church book whatsoever, used in the public exercises of this Church, shall be copyrighted, but, like the Prayer Book, shall be free to be printed by anybody.

The question with regard to the copyrighting of Prayer Book came up before the Fathers of our Church, and it was decided that it should not be copyrighted, and the consequence of that is, that we have had an abundance of Prayer Books of every kind printed by private enterprise. If we have a copyright issued by any one, we shall be just precisely in the same position that other bodies are. The late Herman Hooker, in a publication of his, speaking in reference to the Methodist Church, said that such an amount of money had been made by the Methodist Church by copyrighting their hymn book, and putting a certain price upon it, that when they wished to change a hymn book they would be willing to spend \$100,000 upon it. Now, sir, I will make no reference to the Hymnal that is proposed, because that question will come up hereafter, but I will say, "Give me, or any other man that understands business, a copyright upon any one of the Church books that is to be used in public, and the result is, that I shall make, not thousands, but tens of thousands of dollars out of it." Copyright any of our books, put them into the hands of any bookseller whatsoever, or any committee whatsoever, and the result is, that you lay a heavy tax upon every one who uses that book.

I introduce this matter in the form of a Canon beforehand, because I am aware that the thing may possibly occur, of course it will not, but nevertheless if you get a copyright of your Prayer Book, if you get a copyright of any Hymnal, if you get a copyright of any Church book whatsoever, in the hands of any committee, that is property, and unless you simply purchase it at the value of that property, every member of this Church is taxed heavily, north and south, east, and west. I therefore propose this Canon, that no Church book used in the service of this Church be copyrighted by ourselves or by any others, but that all be free,

as the Prayer Book is, for any bookseller whatsoever to print. I move the reference of this Canon to the Committee on Canons.

The motion was agreed to.

ADMISSION OF CANDIDATES TO HOLY ORDERS.

The Rev. Dr. PERKINS, of Kentucky. Under the instructions of the Diocese of Kentucky, I have certain resolutions, passed by the Standing Committee of that diocese, relating to certain phrases in Canon 2, of the admission of candidates for Holy Orders, to present to this House, with a motion that they be referred to the Committee on Canons:

Resolved (by the Standing Committee of the Diocese of Kentucky), That in the opinion of this committee the Canons in regard to the admission of candidates for Holy Orders should be more explicit, as in several points, so in these:

First, The meaning of the terms "licentiate and licensed minister."

Second, As to the point whether the testimonial laid before the Standing Committee should be upon the personal knowledge of the testifiers, or merely "upon evidence satisfactory to the said testifiers." If the latter construction be adopted, then there is no provision requiring a certificate founded upon personal knowledge, in case of any candidate for the ministry.

Again, on the eleventh day of May it was,

Resolved (by the Standing Committee of Kentucky), That the second point on which the sense of the Convention is desired, in regard to the admission of candidates for Holy Orders, be more precisely stated, as follows: Whether the testimonials laid before the Standing Committee should be upon the personal knowledge of the testifiers, or merely upon testimonials laid before the said testifiers.

I move the reference of this paper to the Committee on Canons.

The PRESIDENT. I suggest to the gentleman to move its reference to the Joint Committee on Theological Education, which is a Joint Committee appointed to digest the Canons in regard to the admission of candidates to the ministry. That committee has prepared a report, which is printed, and meets the most of these cases.

The Rev. Dr. PERKINS, of Kentucky. I accept the suggestion of the Chair, and move the reference of the resolutions to the Joint Committee on Theological Education.

The motion was agreed to.

LETTERS OF COMMENDATION TO EMIGRANTS.

The Rev. Dr. LEEDS, of Maryland. If there is nothing before the House I should like to call attention to a matter of some interest.

As the English deputation were leaving this morning, the very worthy Vicar of Trentham, the Rev. Mr. Edwards, who is one of the rural deans of the Diocese of Lichfield, wished me to bring before this Convention for its action, a resolution which would ask the Bishop of Lichfield to request his clergy, whenever any families or individuals of their cures were about to emigrate to this country, to furnish them with letters of commendation and with any other particulars concerning them that might be of interest, in order that they might at once be taken under the care of the Church on this side of the water. I believe all my brethren of the clergy here present, who have been settled in the midst of English colonies, if I may so call them, in our country, will bear me witness that

there has been a great negligence among them of the ministrations of the Church. There has oftentimes been a most uncared for condition on the part of these people which, when it has come to the knowledge of the clergy and of their parishes, has been distressing. I think I can point to neighborhoods where there are hundreds of families that were very faithful attendants upon the Church in the mother country, that now are strangers to the House of God. This ought not so to be; and I trust, in the freshness of our impression of the connecting links that are so dear between us and the mother country, we may agree to a resolution something like the following:

Resolved (the House of Bishops concurring,) That an address to the Lord Bishop of Lichfield be prepared by a committee of three members on the part of each House, to be presented by his lordship to his associates, the other Bishops of the Church in our mother country and to the clergy of his diocese, communicating the desire of this Convention, as representative of our American Church, that clergymen having charge of parishes and missions will furnish to families and individuals in their respective cures who are about to emigrate to the United States, such letters of commendation and such other information touching their characters and wants as will secure them upon their arrival fraternal welcome and pastoral sympathy and care in the one common fold in which they have been nurtured.

The Rev. Mr. FARRINGTON, of New Jersey. I hope the resolution will pass. It may not be improper, however, to call attention to the fact that this was one of the things considered by the Conference at Lambeth, and that three years ago our House of Bishops passed this resolution:

Resolved, That this Church also expresses its cordial approval of the provision that emigrant members of the Church, of good Christian standing, should be furnished with testimonials, addressed to the Bishops and pastors of the Church, in the country to which they may remove."

The House of Bishops passed that resolution three years ago. I hope, however, that this resolution will be adopted.

The Rev. Dr. LEEDS, of Maryland. Perhaps it was an oversight on my part, in not bearing in mind that action of the House of Bishops. I drew the resolution originally as touching only the point of a communication by the Bishop of Lichfield to his own clergy. I think there will be nothing in that to conflict with the action of the House of Bishops. I simply put in afterward the matter touching his communication to other Bishops, at the request of a most respected member of this House.

The Rev. Dr. HAIGHT, of New York. I do not think there will be the slightest impropriety in renewing the feeling of this House, touching the importance of these letters of commendation. I hope the resolution offered by my friend from Maryland will pass.

The resolution was adopted.

THEOLOGICAL EDUCATION.

The Rev. Dr. HAIGHT, of New York. I desire to present the report of the Joint Committee on Theological Education. It will take me but a moment to read it.

The Joint Committee appointed at the last General Convention to consider the present state of theological education in this Church, and the means for its facilitation and improvement, and report thereon

to the next General Convention, ask leave respectfully to report.

No more important topic can engage the attention of this Convention or of this Church than that of the training of our clergy. No age and no country has made, or can make, stronger demands upon our best efforts to secure the best results in this regard than our own age and our own country.

The committee do not care to weary the Convention with details or arguments. They simply desire to call attention to the immense importance of the subject committed to them, and to urge the necessity of advancing interests so vital to this Church.

After careful deliberation, they have arrived at the conclusion that the only effectual mode of reaching the desired end is by a revision of the canons relating to candidates for Holy Orders and to ordinations. Mere resolutions are of small avail. They repose in the Journals of Conventions, for the most part unseen and unheard of, and exercise no living, working influence on the Church. The committee, therefore, respectfully submit the following *projet* of revised canons, and recommend their adoption by the Convention.

This is signed by Bishops Whittingham and Williams, Dr. Hare, Dr. Haight, Mr. Orlando Meads, and I am authorized to sign the name of Judge Seymour of Connecticut.

I move you, sir, that the canons reported by this committee be printed for the use of the House, and that the whole subject be made the order of the day for Tuesday next, at 12 o'clock.

The motion was agreed to.

TREASURER'S REPORTS.

The SECRETARY presented the report of the late treasurer, Mr. Herman Cope, and also the report of the present treasurer, F. Ratchford Starr, which were referred to the Committee on Expenses.

RESPONSE TO LETTERS OF GREETING FROM ENGLAND.

The Rev. Dr. HOWE, of Pennsylvania. I have a resolution to offer which I presume will create no debate. If it does, I will withdraw it:

Resolved, That a committee of three be appointed by this House to make written response to the letters of greeting which were presented to this House on the second day of the Convention from the Dioceses of Chester and Lichfield, England.

It is a matter of personal courtesy between man and man that a written communication shall receive a written answer, and there are precedents in this House for it. I need not say anything more.

The Rev. Dr. GOODWIN, of Pennsylvania. Were those letters addressed to this House?

The PRESIDENT. One of them certainly was. I examined into that question, and was about to call the attention of the House to it. It will be recollected that a resolution similar to this was offered and it was laid aside.

The resolution was adopted.

AMENDMENT OF A RUBRIC.

The Rev. Mr. SHIPMAN, of Kentucky. I wish

to offer a resolution which I think will pass without any discussion. If any discussion should be likely to be provoked I will withdraw it at once:

Resolved (the House of Bishops concurring), That a joint committee to consist, on the part of the House, of three presbyters and three laymen, be appointed to consider and report whether any, and if any, what legislation is desirable in order to render more specific the provision contained in the first rubric before the office for the celebration of the Lord's Supper or Holy Communion.

The Rev. Dr. GOODWIN, of Pennsylvania. Are we ready to appoint a special committee on such a subject? I move the reference of the resolution to the Committee on the Prayer Book.

The motion was agreed to.

The SECRETARY. There will be no meeting to-morrow morning agreeably to the previous order of the House, but when we adjourn to-day it will be to meet at one o'clock to-morrow.

On motion of Mr. Massie, of Virginia, the House adjourned.

EIGHTH DAY.

THURSDAY, October 12, 1871.

The House met at 1 o'clock P.M., pursuant to adjournment.

The journal of yesterday's proceedings was read and approved.

COMMITTEE ON CANONS.

The PRESIDENT appointed, as additional members of the Committee on Canons, in place of those who have gone away, Mr. Thomas A. Johnson, of Western New York, and Mr. J. W. Andrews, of Ohio.

COMMITTEE TO REPLY TO ENGLISH ADDRESSES.

He also appointed as the committee to reply to the address of the Diocese of Lichfield, the Rev. Dr. Howe, of Pennsylvania, the Rev. Dr. Wheat, of Tennessee, and Mr. J. W. Stevenson, of Kentucky.

NEW DIOCESE IN PENNSYLVANIA.

Mr. SHEFFEY, of Virginia. I am instructed by the Committee on Canons to make a partial report in respect to message No. 9 of the House of Bishops, and I am requested by the Committee on Canons, unanimously, to ask the prompt action of the House on the report.

The Rev. Dr. Haight, of New York, read the report as follows:

The Committee on Canons have had under consideration message No. 9 of the House of Bishops, and beg leave to make a partial report in respect to the matter therein referred to.

The committee report that the minutes of the House of Clerical and Lay Deputies disclose the fact that the proceedings of the House on message No. 2 of the House of Bishops were incomplete, and that message No. 2, sent by the Secretary to the House of Bishops informing that body that this

House had concurred with the House of Bishops in the resolution contained in their message No. 2, was communicated inadvertently; and the committee are of opinion that grave doubts as to the validity of the act of admission of the new diocese to be erected within the limits of the diocese of Pennsylvania may arise, and that in any view of the subject the precedent would be a dangerous one and should not be allowed to stand. The committee, therefore, recommend the adoption of the following resolution:

Resolved, That the House of Bishops be informed that message No. 2 of the House of Clerical and Lay Deputies was sent to the House of Bishops inadvertently, the matter therein referred to, with respect to the erection of a new Diocese within the limits of the Diocese of Pennsylvania, not having been finally acted on by the House of Clerical and Lay Deputies; and that the House of Bishops be requested to return to the House of Clerical and Lay Deputies said message No. 2, and any papers and documents which may have accompanied the same; and that the House of Clerical and Lay Deputies will respectfully forbear to act on message No. 9 of the House of Bishops until it shall have received a response to the foregoing request.

By order of the Committee,

WM. COOPER MEAD, D.D., *Chairman*.

The Rev. Dr. HAIGHT, of New York. Judge Sheffey will explain the meaning of this last clause.

Mr. SHEFFEY, of Virginia. I think the resolution explains itself, and that it is not necessary to reiterate the views which were pressed upon the consideration of the House yesterday on this point. Our records show that we never have passed the act ratifying the formation of a new diocese in Pennsylvania, and as a precedent it would be exceedingly dangerous to allow it to pass uncorrected. No difficulty can arise out of the action now proposed to be had. On the contrary, much good can be done, I have no doubt, by allowing whatever the two Houses agree to be done to be enacted by the same form of procedure. The Secretary announces that he sent that message under a mistake, or rather, inadvertently. The President announces that the final question upon the proposition was submitted to the House. Our minutes show that it was never submitted to the House. That being the case, I think it due to ourselves that our records, which are to be examples in all future times, should be kept right.

I will not say anything with regard to what may be done when the House regains the control of this paper. That is a matter for the House to determine. My only object is to keep the proceedings of the House in due form and order.

Mr. WELSH, of Pennsylvania. I move the adoption of the resolution as it stands.

The Rev. Dr. HAIGHT, of New York. Will the gentleman from Virginia say a word as to what he supposes may be the course of the House of Bishops as to their own message No. 9?

Mr. SHEFFEY, of Virginia. It is very probable if this message goes to the House of Bishops that the House of Bishops may recall their message No. 9; but that is a matter, of course, which I know nothing about. I only ask the concurrence of this House in the resolution of the Committee on Canons.

The Rev. Dr. UFFORD, of Ohio. I move the adoption of the resolution.

Mr. BURGWIN, of Pittsburgh. I will say a word in order that the latter part of that report may not be misapprehended. It states that we shall be ready to act upon message No. 9 when the House of Bishops, if they shall do so, shall send us back message No. 2. I think it was understood in committee that message No. 9 still remains there to be considered by the committee and reported upon, when that committee shall arrive at their conclusion on the important questions which arise under message No. 9, and therefore I think it is expected that the course this House will take will be that when the House of Bishops send down to us, if they shall do so, message No. 2, the question will then stand before this House as it did at the time the President failed to put the vote of the House as to whether it would concur after the substitute was adopted. That will be the simple question for this House to decide upon, without any action being taken upon message No. 9, which still remains in committee.

The Rev. Dr. BURGESS, of Massachusetts. It is desired by several persons here that the honorable deputy from Virginia should explain to us the difference between a substitute and an amendment. The impression here appears to be by many that a substitute for the whole matter assumes the aspect of a new resolution, and in order that the brethren about me may be convinced, I should like to have him say whether he regards a substitute and amendment as the same or as different.

Mr. SHEFFEY, of Virginia. Undoubtedly our rule which allows a substitute to the pending proposition is an invasion upon the parliamentary law. The parliamentary law is, that when proposition A is before the House, you may move by way of amendment a substitute—a proposition, B, and to proposition B you may move as a substitute proposition C. That is as far as, under parliamentary law, you can go. Every substitute is but an amendment. Then when the House come to vote upon those propositions, the question would be a comparison between substitute C and the amendment B, which is itself a substitute. If the House votes down substitute C, then the comparison is between substitute B and the original proposition. If the House agrees by way of amendment to substitute B, then the original proposition will be before the House as amended, and then the question will be, will the House agree to its original proposition thus amended by way of substitute?

Now, the rule of this House is that after the third degree has been reached of an amendment to an amendment, there may be a substitute offered as if

it were in the first degree, just as if the proposition were before the House and a substitute for that proposition were offered, that is to say, a substitute for the whole matter. Still the old parliamentary law is not abrogated that the House may crush out all intermediate propositions by a substitute for the pending matters, but finally, when it comes to vote upon the original proposition as amended, it may vote it down. That is the law on the subject. There is no difference in parliamentary law between a substitute and an amendment in the sense in which the gentleman refers to it. A substitute is an amendment.

The SECRETARY. Mr. President, one word in my own defence, if necessary. This matter, although so clearly stated by the deputy from Virginia, has not been carried out in the proceedings of this House with any degree of rigor. For example, so late as yesterday the very resolution referring this whole matter to the Committee on Canons was never passed in the way he suggests. A substitute was passed instead of the original resolution.

Mr. SHEFFEY, of Virginia. Yes, sir, it was. If your record does not show it, the fact was so.

The SECRETARY. If you will look at the record and rough minutes, you will find it is as I state.

Mr. McCRADY, of South Carolina. I ask but one question, and that is, are the Pennsylvania delegation satisfied? No one else could make the objection that would occur to me as to the action of their Bishop.

The Rev. Dr. HARE, of Pennsylvania. We are satisfied.

The PRESIDENT. The question is on adopting the resolution reported by the Committee on Canons.

The resolution was adopted.

TERRITORIAL DELEGATES.

The Rev. Dr. Haight, of New York, submitted the following report:

The Committee on Canons, to whom was referred a memorial from the Missionary Convocation of the missionary jurisdiction of Dakota Territory, and also a resolution in relation to delegates from missionary jurisdictions, to this House, respectfully report that they have considered the same, and recommend the adoption of the following Canon:

"Canon authorizing the appointment of Delegates from Missionary Jurisdictions."

"The Standing Committee in any missionary jurisdiction of this Church, or, if there be none, a convocation consisting of the clergyman and laymen in any such jurisdiction, may, with the concurrence of the Bishop, send one clerical and one lay delegate to any General Convention of the Protestant Episcopal Church in the United States of America. Such delegates shall be entitled to seats on the floor of the House of Clerical and Lay Deputies, and may speak on any question directly and specially affecting their respective jurisdictions,

and no others, and shall not have the right to vote, or otherwise take part in the business of this House. By order of the Committee.

WM. COOPER MEAD, D.D.,
Chairman."

The Rev. Dr. HAIGHT, of New York. I do not know that any explanation of this Canon is necessary. It seems to explain itself.

The Rev. Dr. HARE, of Pennsylvania. I move that the Canon be passed.

The Rev. Dr. GOODWIN, of Pennsylvania. I beg leave to call the attention of the House to the 5th Article of the Constitution. I have no objection to the Canon as proposed, and do not rise to make any objection on the ground of policy; and if there be no difficulty in connection with the Constitution (and gentlemen will see that at once), very well. In Article 5—

Mr. BATTLE, of North Carolina. Will the gentleman from Pennsylvania give way for a moment, that I may make a statement that there is to be a minority report?

The Rev. Dr. VINTON, of Massachusetts. There is no minority report written, but the minority were of opinion that something should be said to the Convention before the question was put upon the proposed Canon. My reverend friend from Pennsylvania has referred to the Article of the Constitution which describes this Convention. I suppose the Convention fully understand the import of this proposed Canon. It is to admit delegates from the Territories to hold seats here, to be permitted to speak upon subjects pertaining to the particular interests of their respective Territories, and upon no other subjects, and by no means to have a vote. You will observe at first view—this is the way it strikes the minds of the minority—that this gives a new character to the structure of this Convention. The structure of this Convention is described in Article 5 of the Constitution, and no such membership as this is contemplated from beginning to end. The Committee on Canons, I suppose, and, I presume, every person here, in enacting laws for this Church, would be disposed to give to the Constitution as large and liberal a construction as the necessities of the case require, if it can be done without doing too much violence to the spirit of the Constitution, for we, as legislators, are acting under the behests of our great Lord and Master. He has given the Church a commission to discharge, and we prescribe the methods.

If, in our folly or unwisdom, we should prescribe methods which would hinder at all the great purpose which our Master has entrusted to us to take care of, then evidently we should be at fault; and hence I apprehend the principle of a liberal construction would be perfectly legitimate in this body when it might not be in municipal or civil bodies making laws under no headship other than that of the sovereignty of the State. Accordingly, then, the whole committee were entirely disposed to give a very large and liberal construction to the Constitution, provided the exigencies of the case demanded it.

As the Constitution makes no provision for any such membership, and as it would seem to be almost a violent construction of the Constitution, a

straining of it, to alter it, unless the Constitution be itself altered, is there, then, such a demand, in the nature of the case, a demand of necessity for action like this, as to warrant us in stretching the fibre of the Constitution one whit? To some of us it appeared there was not, and I will proceed to give you the reasons why we thought so. What is demanded here? What purpose is proposed to be gained? A purpose which never has had occasion to be gained or met since the Church has had its being, probably; and certainly, in my acquaintance with this Convention, now for many years, I do not recollect that the Church, in any Territory, has been obliged to come before this Convention and to make a statement of its own interior matters from beginning to end.

It is, moreover, a natural question what sort of matters could be brought before this Convention pertaining to the interests of a Territory for which the Church has not already provided means of settlement. A Territory would be a missionary jurisdiction under the charge and authority of a Bishop of the Church, who understands perfectly well all the needs of that Territory, and can make his report accordingly, and whatever suggests itself to him, or to his collective presbyters, could be easily adjusted here. To my own mind (although in this matter I do not know that I speak the mind of a majority), as I thought the matter over I thought of nothing that a collection of churches in a Territory could have in the way of subject-matter for this Convention to consider, unless it were some difference or antagonism between the churches and their missionary Bishop. I can think of nothing else touching the interests of such a body of churches or clergymen that would call for this sort of adjustment. Supposing, however, they had their full claim, have they not adequate means or remedy, for it can only be by way of remedy, I think, that they would ask to make this claim. Have they not adequate remedy for every evil of this sort that is conceivable? They are now admissible to this body by a vote. They are admitted, in common with all other clergymen, to a seat in this body by a vote. If they have any special matter, as a body of churches, to present to this Convention, we all know that it is the most facile thing in the world for them to secure the ear of a delegate, and ask permission to be heard. They could present a memorial, and this body could not decide, and would not decide, upon that memorial until they had heard the parties interested.

Whenever, then, the exigency should arise to call for any such use of this body, any delegate from any Territory would find nothing but open doors and a cordial hearing. So it appeared to us. Is it necessary, then, for such a necessity as this—so far as my memory serves me, a necessity that never has been a practical one yet—to provide for certain contingencies which, after all, are not very important or valuable, and how to provide. Why, by making a change in the organic law of the Church, virtually, for we do make a change in the structure and composition of this Convention, and this Convention is the creature of the Constitution. I believe we have no right to touch it, if we look technically and strictly at the meaning of the Constitution; but were the necessity very urgent, I

would even strain a point and make points to accommodate brethren, and to meet the necessities of churches, provided the necessities were clearly made out.

The PRESIDENT. The gentleman will suspend to allow the reception of a message from the House of Bishops.

THE BAPTISMAL OFFICE.

Message No. (16), from the House of Bishops was received, informing the House of Clerical and Lay Deputies that the House of Bishops had adopted the following resolution:

Resolved, That the declaration of the Bishops of this Church this day signed in council, be entered upon the minutes of this House, and communicated to the House of Clerical and Lay Deputies for the information of that body concerning the action of their Bishops in a matter deemed to be of much gravity, and of great interest to both Houses of the General Convention.

DECLARATION OF THE BISHOPS IN COUNCIL, OCTOBER 11TH, 1871.

We, the subscribers, Bishops of the Protestant Episcopal Church in the United States, being asked, in order to the quieting of the consciences of sundry members of the said Church, to declare our convictions as to the meaning of the word "regenerate," in the "Offices for the Ministration of Baptism for infants," do declare that in our opinion the word "regenerate" is not there so used as to determine that a moral change in the subject of baptism is wrought in the sacrament.

(Signed.)

B. B. SMITH, Bishop of Kentucky.
 CHARLES P. McILVAINE, Bishop of Ohio.
 SAMUEL A. McCOSKRY, Bishop of Michigan.
 WILLIAM R. WHITTINGHAM, Bishop of Maryland.
 ALFRED LEE, Bishop of Delaware.
 JOHN JOHNS, Bishop of Virginia.
 MANTON EASTBURN, Bishop of Massachusetts.
 W. M. GREEN, Bishop of Mississippi.
 JOHN PAYNE, Missionary Bishop of Cape Palmas, Africa.
 JOHN WILLIAMS, Bishop of Connecticut.
 HENRY J. WHITEHOUSE, Bishop of Illinois.
 THOMAS F. DAVIS, Bishop of South Carolina.
 THOMAS ATKINSON, Bishop of North Carolina.
 WILLIAM INGRAHAM KIP, Bishop of California.
 HENRY W. LEE, Bishop of Iowa.
 HORATIO POTTER, Bishop of New York.
 THOMAS M. CLARK, Bishop of Rhode Island.
 ALEXANDER GREGG, Bishop of Texas.
 GREGORY T. BEDELL, Assistant Bishop of Ohio.
 H. B. WHIPPLE, Bishop of Minnesota.
 HENRY C. LAY, Bishop of Easton.
 JOSEPH C. TALBOT, Assistant Bishop of Indiana.
 WILLIAM BACON STEVENS, Bishop of Pennsylvania.
 RICHARD H. WILMER, Bishop of Alabama.
 THOMAS H. VAIL, Bishop of Kansas.
 A. CLEVELAND COXE, Bishop of Western New York.

CHARLES TODD QUINTARD, Bishop of Tennessee.

ROBERT H. CLARKSON, Bishop of Nebraska.
 GEORGE M. RANDALL, Missionary Bishop of Colorado.

JOHN B. KERFOOT, Bishop of Pittsburgh.
 J. P. B. WILMER, Bishop of Louisiana.

GEORGE DAVID CUMMINS, Assistant Bishop of Kentucky.

WILLIAM E. ARMITAGE, Bishop of Wisconsin.

HENRY A. NEELY, Bishop of Maine.
 DANIEL S. TUTTLE, Missionary Bishop of Montana.

JOHN W. BECKWITH, Bishop of Georgia.
 FRANCIS M. WHITTLE, Assistant Bishop of Virginia.

W. H. A. BISSELL, Bishop of Vermont.
 C. F. ROBERTSON, Bishop of Missouri.

B. WISTAR MORRIS, Bishop of Oregon.
 A. N. LITTLEJOHN, Bishop of Long Island.

WILLIAM CROSWELL DOANE, Bishop of Albany.

F. D. HUNTINGTON, Bishop of Central New York.

O. W. WHITAKER, Missionary Bishop of Nevada.

HENRY M. PIERCE, Missionary Bishop of Arkansas and Indian Territory.

WILLIAM W. NILES, Bishop of New Hampshire.

WILLIAM PINKNEY, Assistant Bishop of Maryland.

W. B. W. HOWE, Assistant Bishop of South Carolina.

Attest: HENRY C. POTTER,
 Secretary House of Bishops.

TERRITORIAL DELEGATES.

The House resumed the consideration of the report of the Committee on Canons.

The Rev. Dr. VINTON, of Massachusetts. I have been requested to read that part of the Constitution to which I have referred, article 2, first clause:

"The Church in each diocese shall be entitled to a representation of both the clergy and the laity. Such representation shall consist of not more than four clergymen and four laymen, communicants in this Church, residents in the diocese, and chosen in the manner prescribed by the Convention thereof."

That shows how the Convention proper is organized. Any deviation or departure from that, anything different from that, may not be pronounced anti-constitutional, but I think it must be pronounced extra-constitutional; and, therefore, as it is not strictly constitutional, it requires, as I said before, the argument of high necessity, in order to warrant us in straining the texture of the Constitution. I was just now in the course of remark upon the question of that necessity. I had proceeded thus far: that no necessity could be conceivable, it seemed to me, except the necessity of differences between the clergy and their Bishop, in which case this would not be the proper tribunal for arbitrating the case, or if there were any other necessity it must pertain to the missionary interests of that Territory, which are in the hands, supremely, of the Missionary Bishop.

But even if a necessity should be supposed, we could still save ourselves the discredit and the pain of urging the Constitution too far, by resorting to a

remedy already at hand, that is, by a single resolution admitting any representative from any Territory to make the statement of any case on this floor.

Then there was still another argument which struck me with some force. This proceeding, taking the form of a Canon, stands as a perpetuity, but the action which we undertake to meet, the necessity which we are supplying is, in the very nature of things, a transient one, an ephemeral necessity, for our Territories are, by the natural law of the Church's progress, crystallizing constantly into dioceses, and it will not be many years before all our Territories will have assumed, not the amorphous shape and condition in which they now are, but a regular, organic, symmetrical, Churchlike subsistence. We are looking to that. It is coming upon us every day; we are coming upon it every day.

We are, therefore, making a fixed law which shall stand upon our pages through all the years, and to meet an occasion which may never happen, and which, after a few years, cannot happen. Therefore it seemed to us that there was not the argument of necessity. With all our disposition (and I believe the Committee on Canons were unanimous in that feeling) to oblige our brethren from Dakota, it seemed to some of us that they had not made out a case of necessity urgent enough to warrant us in departing from the fixed habit and policy of legislation of this Church.

We feel it our duty to lay these views before the Convention, to show in what light the subject presented itself to the whole of the Committee on Canons.

The Rev. Dr. GOODWIN, of Pennsylvania. I do not claim the floor, as I believe the hour of adjournment has arrived. I should occupy, however, but two or three minutes in making the suggestion that occurs to me.

The Rev. Mr. FARRINGTON, of New Jersey. I move that the House continue in session until 4 o'clock.

The PRESIDENT. I intended to suggest that before we entered upon this business. I shall certainly suggest it after we get through the present business. If no motion to adjourn is made, Dr. Goodwin will proceed.

Mr. McCRADY, of South Carolina. I make a motion to adjourn. The House has made an order for our daily adjournment, and there is no order for our going on now. I think this is a very important question and I should not like to see it squeezed in between three and four o'clock to day.

The Rev. Mr. FARRINGTON, of New Jersey. I made a motion to continue in session, and that was the first motion made.

The PRESIDENT. That is not a privileged motion, while a motion to adjourn is.

Mr. SMITH, of North Carolina. I ask if we have not an order of the House to adjourn at 3 o'clock, and whether any motion is necessary? I think no motion is necessary. By the order of the house, we must adjourn at 3 o'clock.

The PRESIDENT. I certainly think it is not in order now, without general consent, to interrupt the present business to move a continuance of the session till 4 o'clock, though it would be in order at any time, when no person had the floor, to move an adjournment. There is a very great distinction between those two things. Whether we can now prolong the session or not, except by unanimous consent, I do not know.

The Rev. Dr. PADDOCK, of Long Island. I remember very distinctly on several occasions of meet-

ings of this sort, and I think also once in this House, three years ago, when business was up which it was very important should be decided, it was moved by some one, in order that the hammer of the President might not fall in the very midst of the business when the hour of 3 o'clock arrived, that the House continue in session till the close of the present business.

The PRESIDENT. Of course such a motion could be made by general consent, but I do not see how it can be made while any other business is in progress.

The Rev. Dr. PADDOCK, of Long Island. I should like to inquire, if it be not too bold, of the member from Virginia [Mr. Sheffey], whether, when the House has a standing rule to adjourn at 3 o'clock, that means that the House shall adjourn at 3 o'clock or at such hour after that as it is found quite convenient.

The PRESIDENT. I shall be very glad to hear that question answered by the gentleman from Virginia, and also the further question as to the mode in which we can get out of this entanglement, so as to prolong the session. It seems to me very important that we should sit till 4 o'clock, or near that hour, if we can.

Mr. SHEFFEY, of Virginia. The House having fixed 3 o'clock as the hour of adjournment, it is the duty of the Chair, when 3 o'clock arrives, to strike his hammer on the table and declare the House adjourned without further order; but prior to that time any member who can get the floor has a right to move as a part of the order of business of the House, a suspension of that rule for the day, and if the House agrees to it, it is no interruption of the pending business. The House may entertain a motion, pending a question before it, that the debate on the question shall cease at 5 o'clock or 2 o'clock. That is not an interruption of the question before the House, but is a means of facilitating the very object that the House has in contemplation, in debating the question before the House. So here, a motion would be in order, that this question be continued under debate until 4 o'clock, notwithstanding the rule of the House, which is equivalent to a motion to suspend that rule for the day until 4 o'clock. If, therefore, the gentleman from Pennsylvania would give way to any member who chooses to ask that the rule requiring an adjournment at 3 o'clock, to-day be suspended for this day and that the House remain in session until 4 o'clock, it would be in order.

Mr. SMITH, of North Carolina. I insist on my point of order, that the hour of 3 o'clock having arrived, the House stands adjourned and no motion can be made.

Mr. WELSH, of Pennsylvania. Occasionally, we are merciful. It may not be known to all the members of this House that at 5 o'clock this afternoon the Board of Missions meet here, and certainly there ought to be a little interval, for many of the active members of this House are members of the Board of Missions. I sincerely hope therefore that we shall now adjourn.

Mr. SHEFFEY, of Virginia. If the Chair ascertains from the clock or by his watch that it is 3 o'clock, any member has a right to demand that the Chair shall be vacated.

The PRESIDENT. Then the House stands adjourned until to-morrow morning at 10 o'clock.

NINTH DAY.

FRIDAY, October 13, 1871.

Morning Prayer was said by the Rev. Benj. Franklin, D.D., a deputy from the Diocese of Indiana, assisted by the Rev. Samuel Chase, D.D., a deputy from the Diocese of Illinois, and the service was concluded by the Right Rev. Joseph C. Talbot, Assistant Bishop of Indiana.

MESSAGES FROM THE HOUSE OF BISHOPS.

The following messages were received from the House of Bishops:

A message (No. 17) announcing that that House had appointed the Bishop of New Jersey, the Bishop of Minnesota, and the Bishop of Alabama, as members on the part of that House of the joint committee to devise measures for the better despatch of the business of the General Convention.

A message (No. 18) announcing that the House of Bishops had appointed the Bishop of Iowa, the Bishop of Central New York, and the Bishop of Nebraska, as members on the part of that House of the joint committee to nominate a Board of Missions.

A message (No. 19) announcing that the House of Bishops had elected, on the part of that House, as the Joint Committee on the report of the Committee of the House of Bishops on Ritual Uniformity, the Bishop of Maryland, the Bishop of Pennsylvania, the Assistant Bishop of Ohio, the Bishop of North Carolina, and the Bishop of Western New York; and

A message (No. 20) returning to the House of Clerical and Lay Deputies its message No. 2, in accordance with the request of message No. 16 of the House of Clerical and Lay Deputies.

LETTERS OF COMMENDATION TO EMIGRANTS.

The PRESIDENT. A resolution was adopted the day before yesterday for a joint committee to prepare an address to the Lord Bishop of Lichfield especially in reference to letters of commendation to persons leaving the British Possessions for this country. I appoint on that committee, on the part of this House, the Rev. Dr. Minnigerode, of Virginia, the Rev. Dr. Schuyler, of Missouri, and Mr. Nathan Matthews, of Massachusetts.

BOOK OF COMMON PRAYER IN SPANISH.

The Rev. Dr. PERRY, of Western New York. I move that this House concur in message No. 10 from the House of Bishops, which is:

Resolved (the House of Clerical and Lay Deputies concurring), That a joint committee of the two Houses be appointed to prepare and present to the next General Convention a version of the Book of Common Prayer in the Spanish language.

The motion was agreed to.

RITUAL UNIFORMITY.

The PRESIDENT. I will announce the appointment of members of the committee on the part of this House upon the report on ritual uniformity:

The Rev. Dr. Mead, of Connecticut; the Rev. Dr. Haight, of New York; the Rev. Dr. Andrews, of Virginia; the Rev. Dr. Stringfellow, of Alabama; the Rev. Dr. Beers, of Wisconsin; Mr. G. E. B. Jackson, of Maine; Mr. Orlando Meads, of Albany; Mr. William Welsh, of Pennsylvania; Mr. J. W. Andrews, of Ohio; Mr. J. B. Craighead, of Tennessee.

ORDER OF BUSINESS

Reports of Committees were called for as in the business in order. None of the committees appeared to be ready with reports.

The Rev. Dr. HAIGHT, of New York. Yesterday a report of the Committee on Canons was presented, touching the admission of delegates from Dakota, and other missionary jurisdictions. That was not disposed of. My colleague (Dr. Vinton) was explaining the views of the minority of the committee on that subject. If it be in order, it would facilitate business very much if we could go on and finish that.

The PRESIDENT. I do not think it is now in order without general consent.

The Rev. Dr. HAIGHT, of New York. I do not wish to make the slightest invasion of the order of the House; but I will state that the Committee on Canons have another report which will be ready very shortly. It is very difficult indeed, he committee sitting from 9 to 11, to have the reports drafted and here in time to meet the order of business. I shall ask the House to suspend the rules of order to take up that report, because it is a very important one.

The PRESIDENT. Petitions and memorials are now in order.

THE NICENE CREED.

The Rev. Dr. PERRY, of Western New York, presented the following memorial:

MEMORIAL.

To the General Convention of the Protestant Episcopal Church in the United States.

The prayer of your memorialist herein contained sheweth:

That on the 20th day of August, A.D. 1868, the Convention of the (then undivided) Diocese of Western New York, did, by a *unanimous* vote, adopt the following preamble and resolution, viz.:

"WHEREAS, It is an undisputed fact that the words, 'and the Son,' in our Second Creed, were not contained in the original Symbol; and

"WHEREAS, Our traditional use of them is liable to misapprehension on the part of the venerable Eastern Communions, therefore

"Resolved, That our next General Convention be requested to set forth *authoritatively* in its Journal the text of what in our Eighth Article of Religion is styled the '*Nicene Creed*,' as adopted by all the undisputed General Councils of the Church, and as this Church receives the same."

And further, that similar action has been taken by a *unanimous* vote in the Conventions of the Dioceses of Alabama, Indiana, Wisconsin, and Maine; and also of the Diocese of Missouri.

And further, that no definite action, for or against the prayer of the memorializing dioceses, has, as yet, been had in the General Convention of the Protestant Episcopal Church in the United States.

Your memorialist, therefore, not in his own name alone, but of that of seven (7) entire dioceses, and of many clergy and laity in other dioceses of our Church, prays that action may now be taken in your venerable body; either by directly granting the prayer of these memorials, or by referring this, with other questions relating to our Book of Com-

mon Prayer, to the speedy decision of a Synod of all Bishops in communion with the Church of England.

And your memorialist, as in duty bound, will ever pray.

JOHN ANKETELL,
Presbyter of the Diocese of Western New York.

(The following is appended by permission):

I shall have much pleasure in allowing my name to be affixed to this memorial, and to assist in the movement to which it relates, by any means in my power, as I feel certain it must always be a first step to the reunion of Christendom to have the creed restored to its original expression of doctrine on the Procession, and let it then be regarded in that shape as the only profession of faith necessary to full Church-membership everywhere from those who are leading a godly life.

EDMUND S. FFOULKES,
Priest of the Church of England.

The Rev. Dr. HAIGHT, of New York. I raise a question of order. Is it in order for this House to receive a memorial from a presbyter of the Church of England? It is an important question, because we may have very serious matters brought in here which we do not care to entertain at all.

The PRESIDENT. The memorial is from a presbyter of this Church, and this is a memorandum appended to it.

The Rev. Dr. HAIGHT, of New York. I move that it be referred back to the gentleman, to take the memorial off. I do not think we sit here to legislate for the Church of England.

The Rev. Dr. PERRY, of Western New York. We had a communication from the Eastern Church which was received at the last Convention.

The Rev. Dr. HAIGHT, of New York. Here is a memorial which is endorsed by a presbyter of the Church of England, a gentleman recently from the Church of Rome. I do not wish to have this House complicated in any such measure. We can receive memorials from our own presbyters; I am very glad to receive them from anybody; but I do not wish to be complicated in this way with the members of the Church of England. I do not wish to return the paper, if anybody is authorized to take off that addendum. If not, I move that it be returned to the gentleman, with the request that it be taken off.

The Rev. Dr. PERRY, of Western New York. He merely asked permission to add it, which, of course, implies that it may be taken off.

The Rev. Dr. HAIGHT, of New York. I hope it may be taken off. I shall oppose any reference until then.

The Rev. Dr. ADAMS, of Wisconsin. I move that the memorialist have leave to withdraw his memorial, and the reason I do so is because I myself am an advocate of the proposition, and I was the man who prepared it before in the Diocese of Wisconsin; but he states that he, in the name of seven dioceses, comes forward before this Convention with that memorial. Sir, we have given him no authority in the Diocese of Wisconsin, by any action of ours, to come forward in our name at this time; and, therefore, while I am decidedly an advocate of this action, when the time comes for its being done, I will not, as a member of the Diocese of Wisconsin, permit any man to come here

and say that he comes forward in our name, in the name of our diocese, when he has no authority from our Bishop or clergy, at the present time, to do so. I move that the memorialist have leave to withdraw his memorial.

The Rev. Dr. HALL, of Long Island. I second that motion, but for reasons contrary to those stated, especially the assertion that the Nicene Creed is the Creed of all the undisputed General Councils. The language of the Nicene Creed as we now have it has twenty other words not in the original Creed. There are forty other words in the original Creed that are not in ours. The Council of Ephesus decided that the original Creed should not be added to as it came from the Council of Constantinople, and the Creed, as we now have it, is the Creed of the Council of Chalcedon, and as Dean Stanley well says (and I can support it by Bishop Hefele), every time the Christian world says that Creed, it shows the triumph of common sense over the mere letter of prescription. If we enter into that subject, we are obliged to go into one of the deepest and profoundest subjects that can possibly come before us, and one that, in my judgment, should issue from the House of Bishops. Therefore, for reasons exactly contrary to those of my good brother, I second his motion.

Mr. SHEFFEY, of Virginia. Mr. President, I hope the House will not set a precedent here which will be equivalent to the denial of the right of any member of this Church to submit to the consideration of this body, in respectful terms, any matter that he deems that the interests of the Church are affected by. Whether his petition be granted or not granted, whether it states the facts or does not, it is a petition, a memorial, and, if respectful to this body, the line of demarcation between the admissible and the inadmissible is not to be set by this House in any way. It ought to be received, if respectful, laid upon the table, recommitted, and a proper report had upon it. I do not think that we ought to refuse to receive the petition of the presbyter from Western New York which, in my opinion, is respectful to this body, however erroneous its doctrine may be or its statements of fact may be. These are matters for after consideration.

The Rev. Dr. GOODWIN, of Pennsylvania. Would it be respectful then to move that it be laid on the table?

Mr. SHEFFEY, of Virginia. Certainly.

The Rev. Dr. GOODWIN, of Pennsylvania. If that is respectful, it would be the shorter way. No, I will not make that motion; for I believe I have never made such a motion in regard to any gentleman's proposition; but there is this difference, that this is not from a member of the House. I shall depart from my fixed principle, and as this is not a proposition that comes from a member of this House, I am ready to make a motion that it lie on the table.

Mr. RUGGLES, of New York. Before the motion is made, I beg to concur most heartily with the position of my friend from Virginia. This invades the sacred right of petition, and it must remain uninvaded. We have seen in our own Government on very difficult questions, how it was solved at once by receiving the petition and laying it on the table, which is the proper course to take; and for that purpose, I will very cheerfully second any motion to lay on the table.

The **PRESIDENT**. The motion has already been made and seconded to lay the memorial on the table. The motion was agreed to.

TRAINING OF CHRISTIAN WOMEN.

The Rev. Mr. **SPAULDING**, of Pittsburgh. I offer the following resolution:

Resolved, That it be referred to the Committee on the State of the Church, in connection with the subject of the work of evangelists already referred to them, whether it be expedient, and if deemed expedient, to report a well-digested plan to this House by which the following ends may be secured, to wit:

First. The training of Christian women for work in parishes and missions in this Church, in Church Homes, and training-houses, adapted to the purpose.

Second. The said work to consist of visiting, conducting mothers' meetings and Bible classes for men and for women, teaching in Church schools, nursing and caring for the sick, and such other like services as women may be best fitted for.

Third. Such trained women to be sent forth, as needed, to co-operate with, and work under the direction of, the parochial and missionary clergy as aforesaid, and also to show other women who desire to serve their Lord how to begin and what to do, and to help to organize them into effective service.

Fourth. Such women not to be bound by irrevocable vows, but to be received for certain periods and to be able to return to the Homes when disabled, and have the assurance of a comfortable support through life.

I move the reference of this resolution to the Committee on the State of the Church.

Mr. **WELSH**, of Pennsylvania. In seconding that resolution, I desire to give notice that that whole subject will be thoroughly discussed on Monday evening, in this church, before the Board of Missions. The Bishop of Long Island was made chairman of the committee, and he has committed the preparing of the report to the Rev. Dr. Potter of Grace Church, New York.

The resolution was referred to the Committee on the State of the Church.

BOARD OF MISSIONS.

The Rev. Dr. **HAIGHT**, of New York. I have a resolution of reference which I think will take but a moment:

Resolved, That the members on the part of this House of the Joint Committee for the nomination of a Board of Missions, be instructed to bring before the said committee the question of the expediency of not renominating any parochial minister to a seat in the said Board who has not made an annual offering to at least one of the three departments of its missionary work, and has not attended at least one annual meeting of the Board since his last appointment; and also of reporting the names of the persons nominated, as nearly as may be in the order of seniority of membership of the Board.

One word by way of explanation. The House

will at once perceive that it is utterly useless, so far as any good to be attained by the Board of Missions is concerned, to keep putting men on that board who never send a single cent to the treasury, and utterly useless to keep on it the names of gentlemen who never attend its meetings. That board ought to be a living power in this Church.

I can conceive of no higher object which this Church has before it, than the great Missionary work of this Church. In order to accomplish the end, the General Convention appoints a Board of Missions which is to meet annually. You will see at once that the efficiency of that Board, and the efficiency of this whole work, depend upon your having men there whose hearts are in the work, and who are willing to give their time and labor to it.

In regard to the second point, I observe with considerable surprise in the printed list of the Board of Missions, that in two of the largest dioceses the names of the oldest members appear at the foot of the list. This is not decorous. I therefore, move this resolution to cover both points.

The Rev. Dr. **ANDREWS**, of Virginia. I second the resolution, and beg leave to say that every cause ought to be in the hands of its friends. When I found it impracticable to attend the meetings of the Board, I resigned, that some one might be appointed who could attend.

The Rev. Dr. **HAIGHT**, of New York. That is just what we should have expected of you, sir.

Mr. **WELSH**, of Pennsylvania. Contrary to my own wish, I have been placed on that Nominating Committee, and I heard objections made at the time to distant portions of the country not being represented. I will only say on behalf of that committee that any clergyman who is willing to manifest, or has manifested, any appreciable interest in the Board of Missions is likely to be nominated. Therefore, the committee will be very glad indeed to receive suggestions from the various delegations who are present.

The Rev. Mr. **FARRINGTON**, of New Jersey. I offer an amendment, to insert:

"And no layman who has not attended a meeting of the Board during the previous three years."

The resolution, as it stands, simply reaches the clergy. It seems to me it should cut both ways.

The Rev. Dr. **HAIGHT**, of New York. I accept that amendment.

Mr. **RUGGLES**, of New York. I hope that amendment will be adopted, and I speak for the laity, so far as I have a right to do so, to compel us to attend or resign.

Mr. **McWHORTER**, of Central New York. I wish to make one suggestion in regard to the attendance of laymen. A layman may not be able to attend the meetings of the Board, and yet he may be a very liberal man and willing to give liberally to the Board, and his name might be valuable to the Church. I therefore inquire whether it would be advisable to strike off a layman merely because he is not able to attend every meeting, or even one meeting in three years.

The Rev. Mr. GILLESPIE, of Michigan. I would take exception to this compulsory attendance of members. As I understand, the members of the Board of Missions of each diocese are constituted a sort of committee to work for the Board in their own diocese. There are some of us who are ready to work for, and do work for, the Board in our dioceses, and yet are so situated that we cannot attend the meetings of the Board. That is my own case. I have acted as honorary Secretary for the Freedmen's Commission—

The Rev. Dr. HAIGHT, of New York. My dear friend, you are not affected by this resolution.

The Rev. Mr. GILLESPIE, of Michigan. I supposed I was cut off, having been absent from the other meetings.

The Rev. Dr. Haight, of New York. Oh, no; attendance at one of the annual meetings is sufficient.

The Rev. Mr. GILLESPIE, of Michigan. But let my own case pass. It seems to me it would be unwise to adopt any such sweeping resolution as this.

Mr. WHITTLE, of Georgia. I agree fully with the gentleman who has last spoken. I think this rule will work very hard upon the remote clergymen and laity, and be a decided injury to the Board of Missions, instead of a benefit. If it were necessary to have these gentlemen, whether clergymen or laity, present, in order to form a quorum of the Board, in order to carry on its operations, then it would be a very different question; but it is certainly very advantageous to the Board to have these members at a distance, even although they never can attend the annual meetings. There are many members of that Board, clergymen and laymen, who do not happen to be members of the General Convention, and that being so, they must travel a great distance from where they live, in Oregon, or Texas, or wherever it may be, in order to attend the meetings of the Board; and the mere travelling expenses of those delegates, if thrown into the fund, would probably be more useful than anything else they could do. I really hope that no such resolution will pass.

The Rev. Mr. PLATT, of Kentucky. I hope that this resolution, or something like it, will prevail. It seems to me that what the Board of Missions wants is a living interest in the proceedings of the Board. If members do not attend, they had better give way to those who would like to attend, and catch something of the spirit that should animate the action and the proceedings of the Board. I introduced a resolution the other day, asking the Committee on Foreign and Domestic Missions to inquire into the expediency of giving to each clergyman, rector of a parish, *ex officio*, a right to a seat in that Board. I attended the General Convention which assembled in Richmond, Virginia, and I then had the pleasure and satisfaction of attending a meeting of the Board of Missions, the first and only one that it has ever been my privilege to attend. I remember the interest that the discussions in that Board gave me. I felt then an interest in missions that I had never felt before, and which I have never been able to reproduce since.

Now, sir, if the members elected on this Board cannot, or will not, attend, they should give place to others who do feel an interest, who will attend the meetings of the Board, and carry back to their respective dioceses the interest which participation in the discussions and business of that Board will give to them. I wish to see this Board have some life in it, and it seems to me the only way to inspire the members of that Board with life is to require them to attend the meetings of the Board. All cannot attend the General Convention; all cannot be members of this body; but if, in their respective dioceses, those who may not be members of the General Convention may be put upon this Board, they will carry into their respective dioceses an interest by the mere attendance upon the meetings of the Board which cannot be given to them by any printed matter that may be distributed through the mail.

Now, sir, I believe that if every clergyman, the rector of a parish, were entitled to a seat in the Board of Missions, you would find, by the interchange of views which that would give, the bringing together of different clergymen of the Church upon the missionary business of the Church, an interest distributed through the Church which can be given to it in no other possible way. We need more interest, and we can only get that by participating in the meetings of the Board. Why, sir, I have in vain sought to find a printed copy of the Constitution of that Board. I may be told that it has been given to me again and again in *The Spirit of Missions*, but I know so little of what is done by that Board that I have not enough interest to read *The Spirit of Missions*; I glance at it; I try to inform myself about it; but to me it is a dead thing.

If the Board of Missions ever met in my vicinity, I should attend its meetings, simply that by interchanging views and conversations with its different members, I might catch some living interest in the printed matter which is given me. We all know what interest a participation in a discussion gives. Brethren come together; a matter is introduced; each one expresses his opinion, compares his views with those of another, and each goes away with an interest in the subject, that he can acquire in no other way.

Therefore I do hope that the dead-heads of that Board may be struck off. Give us men having a living and hearty interest in it; men who desire to work in it; men who will make an effort to work in it; and you will then have not only the interest which membership in the General Convention gives to clergymen and laymen of the Church, but will have another body, the Board of Missions, which will have in charge not the legislation of the Church, but will have its great evangelizing work at heart, and through that Board you will fire up the young energy of the Church as it has not been hitherto.

This body is eminently a legislative body, and the Board of Missions is pre-eminently the evangelizing body of the Church. I should like to see it a body, not simply where those to whom is entrusted the wisdom of legislating for this Church, as is the case with the General Convention, but where our young clergy can assemble, and can catch the fire of the working power of the Church. How many young men are there in every diocese who cannot possibly come to the General Convention for one reason or another, but who might be put on the Board of Missions? We might have twenty delegates and more

from each diocese; the more the better for the general interests of the Church. These young men could come up here; they would get acquainted with each other; get acquainted with the leading men of the Church, and they would acquire an interest in the subject that could not possibly be caught by a mere reading of the proceedings of the board. Those who have attended the delegate meetings see the special interest to young men which it gives in large sections of the country where those meetings are held, but they do not give the interest that would be given if each member of those meetings of delegates was a member of the Board itself.

For years have I been desirous to see some change in the constitution of that Board, and with great reluctance did I introduce the other day, or rise on the floor of this House to introduce, some measure to provoke some sort of discussion on this subject that should draw out an expression of opinion as to the best way to give some living interest in the proceedings of that Board. The Executive Committee, I admit, have done all that men could possibly do; but, sir, I am certain of one thing, that when I attended the meeting of the Board of Missions in Richmond, Virginia, although a mere lobby member, I could have raised, out of the knowledge and enthusiasm that that Board gave me in my parish, two dollars for one that I did before. I was a contributing member then, but I went away feeling that I could not possibly do enough for the work of that Board. But I attended no other meeting of the Board, and my interest comparatively died away. Fill up this Board with men who will attend, and when they go from the Board, they will carry to their dioceses an enthusiasm, an interest, and an energy that will be effective, and I believe that two or three dollars for one that is raised now could be raised by a new living power in that Board.

Mr. BATTLE, of North Carolina. I do not pretend to say that this House has not the right to instruct the committee in the manner proposed in this resolution—

The Rev. Dr. HAIGHT, of New York. It does not instruct them, but directs them to inquire into the expediency of doing a thing.

Mr. BATTLE, of North Carolina. Well, even to inquire into the expediency of doing such a thing, I say I do not allege that this House has not the right to do this, but it does seem to me to be extraordinary. We appointed a committee in which it is supposed we have entire confidence that they will do what is right and proper, and now the gentleman gets up and offers a resolution, which, whether he puts it in the form of an instruction or an inquiry, is certainly some reflection upon that committee that they are not going to discharge their duty properly, and we have a long discussion on the subject. If this can be done in regard to one committee, it can be done in regard to every committee, and we all know that we have subjects of discussion here enough, in the name of Heaven, without introducing a new series of subjects for discussion. If this can be done, every committee that is appointed, whether a single committee or a joint committee, may be instructed or have some inquiry made of it whether it is not proper to do this or that. It seems to me we should have no such mat-

ters introduced here, and it seems to me that this is still more inappropriate when it is the instruction of only part of a committee. Now this is a joint committee. A part of this committee comes from the House of Bishops, and a part from our House, and we instruct our part of the committee to do something which may perhaps be directly opposed to what the Bishops may instruct their committee to do.

But my grand objection to this resolution is, that it is introducing, unnecessarily, here, additional subjects for discussion. The address of the gentleman who has just taken his seat would have been an admirable address delivered in the Board of Missions, and then it would not have interrupted the proceedings of this House. I hope the House will not establish this precedent now. It is the first time that I ever heard of such a thing in this Convention, and I have been here since 1856. I hope the House will not agree to introduce a new series of subjects for discussion here. The time of this House is too precious. We have already occupied half an hour in discussing this matter. If we do this, every committee that has been or may be appointed may be instructed or required to inquire into something in connection with the discharge of its duties. I think when we appoint a committee, whether it be a committee solely of this House or a Joint Committee of this House and the House of Bishops, we should have confidence in them that they will do their duty, their whole duty, and nothing but their duty. I therefore move to lay this resolution on the table.

The Rev. Dr. HAIGHT, of New York. I hope my friend will not persist in that motion, because it cuts me off from any reply.

Mr. BATTLE, of North Carolina. I withdraw it for that purpose.

The PRESIDENT. Will the gentleman from New York permit the Chair to state a fact, before he makes his reply?

The Rev. Dr. HAIGHT, of New York. Certainly.

The PRESIDENT. It is a matter in my own recollection, because I had something to do with it, that in 1865 this subject was thoroughly discussed in the Board of Missions itself, and all its difficulties stated, and that as a release from those difficulties the matter of delegate meetings was resorted to upon the motion of the Bishop of Maryland, and the gentleman from Pennsylvania [Mr. Welsh], who both thought of the same expedient for getting rid of those difficulties.

The Rev. Dr. HAIGHT, of New York. I was perfectly aware of that, sir.

There is no gentleman in this House from whom I differ with more reluctance than my friend from North Carolina; but I take an entirely different view as to what is the proper and legitimate business of this House; or rather what he considers outside of the order of business of this House, I consider its very highest business. This General Convention is not a mere Canon-making body; it is not a mere committee-appointing body. As a Council of the Church of God, it is charged with the highest interests of the Church; and is there anything higher than the promotion of the Missionary cause? We appoint a Board of Missions. Have we no right to say to our branch of the committee, "We wish you, not by way of instruction, to call the attention of the whole committee to the importance of seeing that you do not appoint men on that Board who show no in-

terest in the work, who never make a collection, who never attend a meeting, and whose names are worth no more to that Board than the mere paper on which they are printed." Is that the Board of Missions that you want? If that is the Board of Missions with which this Convention is content, I say the sooner it is disbanded the better. We want men who are interested in the Missionary work on that Board. We want men who will go there, not to discuss points of order, not to raise questions of by-laws, but who will throw their whole heart and soul into the great questions which come before that body, and no greater questions can possibly be conceived of than those which that Board of Missions is called upon continually to entertain.

If this view be correct, if this body is something more than a Canon-making body and a committee-making body, if it has to do with great subjects of the deepest interest to the Church of God, then I submit that I am not trespassing unduly on the time of this House and I am not wasting its time. Talk of wasting the time of this House when we are looking forward to the promotion of this great cause! I ventured the other day to say that we were wasting time because we were discussing mere points of order, things which, three months hence, will not in the slightest degree affect the welfare of this Church or any one of its members. That I call wasting time. But, sir, to hold up to this Convention the fact that you have a Board which is not doing its work properly, and to ask you to endeavor to supply some remedy, I submit is not wasting the time of this House, and I hope this Convention will not allow itself to be drawn into that which I must call a very narrow view of its proper duty. I hope this Convention will show by its vote that it believes the Board of Missions ought to be a living and working body. It is with this view that I submitted this proposition, which I thought a very modest one, not to instruct the committee, but to request the members on the part of this House to bring before the whole committee, simply the question of the expediency of continuing men in that Board who never give a dollar, who never give an hour's attendance, and who, I fear, never give a prayer in a whole year for the special work of the Board.

The Rev. Dr. ANDREWS, of Virginia. I concur most heartily in what we have just heard from the delegate from New York, and also from a member of the Committee on Canons. I agree perfectly that that ought not to be as it now is, the great leading committee of this House, but that the Committee on the State of the Church, the most insignificant perhaps of all the committees now, ought to be practically the first. If we could get a committee *de propaganda fide*, it would be of more consequence than all the issues of the Committee on Canons for twenty years.

The Rev. Mr. ROGERS, of Texas. There is at least one diocese which has not had a voice nor a deputy in the Board of Missions for six years, I know, for the reason that men have been appointed on that Board who had no occasion to come here other than that, and could not go such a distance to attend a meeting. At the same time there have been men here who could have attended more than once or twice in the year had they been upon the Board.

The gentleman from North Carolina has appealed in the name of Heaven that we should not discuss this subject. It was a very good appeal. I ask you in the name of Heaven that you will discuss any subject that touches the prosperity and the growth of the

Church of Christ; and I venture to assert that there is no other subject which touches it more nearly than this subject of missions. There are dioceses where every inch is really missionary ground that are yet dioceses; besides the large territory extending through the West that is dependent entirely upon missionary efforts. Let us have working men upon the Board of Missions, whose hearts and hands and time alike are devoted to the Church in that way. We have the right to suggest to any committee that we shall appoint what we would like to have them consider, and we fail to do our duty if we think there is a necessity for them to consider any given line of policy and fail to suggest it to them. I hope the resolution will pass.

The Rev. Mr. HENSHAW, of Rhode Island. I offer the following amendment:

That no clergyman shall be renominated who has not had a collection for each of the three departments of the work of the Board, at least once during the three years preceding.

The Rev. Dr. ABERCROMBIE, of New Jersey. I second that motion.

Mr. WHITTLE, of Georgia. I agree fully with gentlemen who have spoken of the importance of this subject. I believe that it is a subject of the very first importance, a subject to the discussion of which time should be given. I think we all endeavor to come to the same point, and it is only a difference as to what will be the most effective measure. I agree heartily with that last amendment, except I would have it that, instead of one collection for each of the three departments in three years, no clergymen should be upon that Board who did not take up a collection in each year for each of the three departments. That is a thing that every clergyman may do, and there is no reason why that shall not be done. To every such appeal, if made only once a year, for each of the departments, some response will be made. But that is an entirely different thing from saying that a clergyman taking up these collections every year, or if you choose, once in three years, who yet does not attend a meeting in three years, shall be cut off from being a member of that Board. He may do a great deal of good by taking up that collection. That is his duty. The laity expect that the collection will be taken up at the chancel. To require a clergyman in a remote part of the United States, living generally on a half salary at best, to pay the expenses, or have the expenses raised for him, to take this long trip in order to attend these meetings, is an entirely different thing, and will not in any degree expedite the operations of this great Board, a society so great that without it we should really be, to all practical purposes, no Church at all. No one, therefore, estimates the importance of this Board of Missions more highly than I do. Let us require the collections to be taken up for each one of its departments at least once every year, instead of once in three years, because they will be responded to, and it will benefit the Board. If it is desirable to have a larger attendance, why not increase the number of the members of the Board itself? Let a small number constitute a quorum, so that business will be carried on; but if a greater interest is wished to be diffused over the country, have a larger number of members, so that it may embrace a number who possibly cannot attend all meetings, but who may do this service at home without expense or loss of time.

The Rev. Dr. NORTON, of Virginia. I ask the gentleman from Rhode Island if he would not be

satisfied with a requisition of a collection for one of the departments of the Board?

The Rev. Mr. HENSHAW, of Rhode Island. No, sir.

The Rev. Dr. NORTON, of Virginia. Then, sir, I desire to say a word upon the amendment of the gentleman from Rhode Island. It does seem to me that he is pushing a good object too far in requiring that every clergyman shall make a collection from his congregation for each one of the three departments of the Missionary work every year, or lose his chance to co-operate as a member of the Board of Missions.

The Rev. Mr. HENSHAW, of Rhode Island. My amendment is, that the collection shall be once in three years.

The Rev. Mr. NORTON, of Virginia. Well, even once in three years, because as I happen to know it is the earnest desire of those who are most intimately connected with the Mission work that there shall be in the future, if possible, some form of an alliance between those voluntary Missionary Associations which have grown up, and the Board of Missions, similar to that which existed a few years ago. It is but very lately that I heard an earnest desire expressed on this subject by one who has a better right to speak for Mission work of the Church than any living man now in the Church. He has it greatly at heart. It is well known that there are devoted members of our Church, clergy, who are earnestly engaged in Missionary work, the contributions of whose congregations are most liberal for some of the departments of the Missionary work, now carried on by our Board, and who yet, for reasons satisfactory to themselves, are not at this time contributing to some one of the departments of that work. It seems to me that such a resolution as this would exclude those gentlemen whom it is desirable to have all engaged in a common work, from a seat in the Board of Missions.

It is likewise well-known that in some of the dioceses of our Church for several years past (without any reference to those peculiar reasons which have excluded them from co-operation with one of the Boards of Missions), a considerable portion of our clergy, and a large part of the congregations, owing to the pressure of the times, and the urgent character of their home needs, and the nearer cause for Missionary contributions, have failed, and perhaps for some years to come may fail to contribute as they would like to do to one of the departments of the Board of Missions.

For these reasons it seems to me inexpedient to carry this rule quite so far as is proposed by the gentleman from Rhode Island, and it seems to me that a contribution for any one of the departments of the Board of Missions, would be sufficient to ascertain who was interested in the Missionary cause.

The Rev. Dr. GOODWIN, of Pennsylvania. I wish to add but a word or two to what has been said. It seems to me that the proposition just now offered in the way of amendment, leaves out of sight the liberty that earnest men ought to have to concentrate their efforts in the direction in which they have a great interest. Sometimes in our Church, men have a very great, overwhelming in-

terest in Foreign Missions, and are disposed to concentrate their efforts and their offerings there; others have the great preponderating interest in Domestic Missions, and concentrate their energies there; and it may happen that earnest men in this Church in some places may find and feel that it is their duty to concentrate their efforts and their contributions upon the third branch of work, in behalf of the colored people of the South. Shall we say that men who are earnest in their Lord's work in one branch of this great business, shall not have any part in our councils, because they are not so much interested in the other branches of the work, as to call for contributions in those branches? Suppose a clergyman with his parish here gives thousands to the support of Domestic Missions, but no collection has been taken perhaps for the education of the colored people in the Church, shall we say that that Church or that rector, shall have nothing to do with our councils; but that the man who has taken his little collection of five or six dollars, distributed to each of these three branches, is the man to manage this business? It seems to me that it is leaving entirely out of view the fact that men may desire, and rightly ought to be left to carry out the desire, to concentrate their efforts chiefly upon some one point, some one portion of this great work of ours; and when they are earnestly engaged in any branch of this great work, we ought to welcome them to the councils of this Society.

Mr. BATTLE, of North Carolina. Mr. President, I admit that the missionary work is a great work. I admit that it deserves the attention not only of this House, but of the whole Church everywhere. I do not know who constitute this Committee, but they have heard the eloquent appeals made to them as to what ought to be done. The gentlemen moving in the matter have accomplished their purpose; and now if we lay it on the table I shall have accomplished my purpose. Thus we shall both have accomplished a good purpose, they by stirring up this Committee to do what they say it is their duty to do, and I by attempting to save from this Convention the discussion of a new series of questions; and that is, a proposition made whenever a committee is appointed, that they shall be instructed to do something or not do something. I, therefore, renew my motion to lay this whole matter on the table.

The motion was not agreed to.

The Rev. Mr. PINCKNEY, of South Carolina. I have a word to say on this measure, as to its bearing on some of our Southern dioceses. I feel most strongly the need of some such recommendation as that which has been introduced by the rev. gentleman from New York. I feel that whatever can add interest and efficiency to the meetings of this Board, will be aiding essentially the work of the Church; and here I beg leave to take issue with my hon. and learned friend from North Carolina, and to say that nothing can occupy our attention more worthy of the time of this Convention than anything which can promote the prosperity and the welfare of the Church of God in its missionary operations. I feel that such subjects of

consideration will do good to each member of this Convention; that they will enlarge our hearts, strengthen our sympathy, and prepare us to take the same view, and speak with the same judgment, and to come to points on which we can agree when matters of collision come before us. I think that the very discussion of this question in which our hearts, and minds, and interests are all agreed, will at least give us an opportunity of expressing a feeling in which we can all sympathize together, and promoting objects dear alike to the heart of every man who loves the Church of God and desires to promote its welfare and its prosperity. Therefore, it seems to me a most legitimate subject for the consideration and discussion of this Convention, primarily, before it goes before the Board of Missions.

But there is one practical difficulty which I beg leave to suggest to the mover of this resolution. It may exclude some of our Southern Dioceses from representation upon this Board. I have run my eye over the list from South Carolina of contributing parishes, and I see there few who, if the rule suggested I believe by a delegate from Rhode Island is applied, would not be excluded from any participation in the Board of Missions. Now, sir, let me take my own case. I see here the name of the church of which I am rector, Grace Church, Charleston, credited with a contribution during the last year for foreign missions. I have at least since the war taken up one contribution annually for the foreign missions of the Church. But, sir, it is not for any want of interest in the missionary work of the Church that my hands have been tied for the last five years, but it is because the crying, urgent, superior wants of my own diocese have absorbed all my interest, all my heart, all my energy, and compelled me to ask for whatever my congregation can contribute to keep alive those things which are almost ready to die in the feeble parishes around me. What is my duty—I speak as a clergyman of my own diocese—what is our duty in such a case? Twenty-one churches in that diocese have been destroyed and have passed away by the fire and scourge of war. Many of our parishes are so weakened and desolated that we who have a few stronger parishes in the city are called upon, month by month, day by day, to do something to keep them alive, to contribute something from the feeble fires on our altars to keep them from utter death and starvation and extermination. Therefore I am contributing to the missions of the Church, though my name or that of my church may seldom appear upon these lists because I am doing precisely what your Domestic Committee is doing, and there are several of the weaker parishes in our diocese now which are kept alive and have been sustained by our diocesan operations with the assistance which we have generously received from the Domestic Committee. That rule, if applied stringently, would work injustice to some of us. We are contributing to the domestic and foreign operations of the Church although our names may not appear upon this list: we are contributing to keep alive

our churches by diocesan societies which otherwise would become utterly extinct.

Some such rule as that suggested by the reverend delegate from New York seems to me highly proper.

The Rev. Dr. HAIGHT, of New York. You would come in under my rule, for you make one contribution a year. The amendment of my friend from Rhode Island, which I could not accept, would cut you off. Then, again, allow me to say, that it was in view of the very case of our Southern brethren, that, by my resolution, the committee was instructed to consider the expediency of this thing. I did not propose to direct, because there were cases which should be exceptions to the general rule.

The Rev. Mr. PINCKNEY, of South Carolina. That rule I am perfectly willing to vote for, but I am stating why I must oppose the rule proposed by the delegate from Rhode Island. I think it would work injustice to some of our Southern dioceses. I am willing to vote for the first proposition, but am opposed to the second.

The Rev. Mr. HENSHAW, of Rhode Island. It was far from any intention or wish of mine to cut off any brethren situated as my brother from South Carolina is, but I have felt that his parish, perhaps, could show its good will by making a collection or an offering to these departments, if it amounted to not to exceed three, or four, or five dollars, and then they would not be cut off.

The Rev. Dr. SCHENCK, of Long Island. While I was fully in accord with the resolution that has been offered by the clerical deputy from New York, yet I had no idea that the debate would take as wide a range upon it, and I think it is gradually (as, for illustration, by the direction given by the clerical deputy from Rhode Island) running into certain great principles which, if they come up before us here for discussion, I submit ought to come up under other circumstances. I think it is very right and proper that the deputies from different dioceses who find themselves surrounded by different circumstances, should express what they conceive would be the effect of carrying out such an idea as is suggested in the resolution of the clerical deputy from New York. I am bearing well in mind that it is only a suggestion to this committee to inquire into the expediency of doing thus and so; but the very first idea that occurs to every one, I think, upon hearing such a suggestion, is, is not this of necessity an *ex post facto* suggestion? All these parishes and these rectors have been acting under what they supposed was a very large liberty in this matter, and, as has already been suggested by the clerical deputy from Pennsylvania, there are times when a rector, a parish, may feel it necessary to concentrate all their powers one year upon one particular charity. There are times when it is apparently quite impossible for them to do more than, if you choose (according to the suggestion the clerical deputy from Rhode Island made just now), send in such a parsi-

monious amount that it would rather be absurd in them to go through the formality of sending in two or three dollars for a good cause for which several hundred would be expected. And therefore, during the past three years, and all along during the history of the Church in the administration of this matter of her contributions for her great missionary charities, it is taken for granted that there is a margin of wide liberty allowed, and that, of course, within that margin, there has been a play of peculiar circumstances; or, if you choose, of the matter of elective affinity in selecting which among these things you would prefer to contribute to and make matters of your choice. I am perfectly well prepared to subscribe to any suggestion touching the future, but I do not think that it ought to be made retrospective. I do not think we ought to pass a resolution which would be very much in the nature of an *ex post facto* requirement.

The Rev. Dr. HAIGHT, of New York. The new Board is just about to be appointed.

The Rev. Dr. SCHENCK, of Long Island. I am aware of that; but the eligibility of the members of the new Board is to be ascertained from the record they have made for the past three years, and there is nothing in the Constitution or Canons that puts restrictions on the eligibility of presbyters of our Church to positions in the Board of Missions in any such terms, or according to any such limitations as these. Therefore, we must bear in mind that it is not within, I think, the purview of this legislative assembly to place restrictions that are not there by the Constitution and Canons. That opens up a very broad subject.

But the other subject into which we would naturally drift in the further discussion of this question is, whether we have any right to make matters of contribution in parishes matters of specific legislation; whether the great law of charity is to be a law of spontaneous benevolence, or whether it is to be a law of canonical requisition. There are a great many other subjects which I have had the pleasure of hearing discussed in several diocesan conventions and in other places, which would naturally come up if this matter be carried further. I think, however, that the idea is prevalent throughout this body that this committee ought to look into this subject, and ought to make a Board of Missions which will be the most possibly effective body that can be constructed out of the material that we have in the Church, and certainly all these moribund limbs should be stricken off from the tree and all the scions of fresh strength that would infuse new life ought to be grafted in on the old stalk. I fully agree with the sentiment of the resolution; but I am very sorry that the deputy from Rhode Island has presented his amendment, and I think it is the aggregate feeling of this body that it should not prevail; but I do think it is the aggregate feeling that the resolution of the member from New York should prevail with a distinct understanding that it is not designed to impose a burden, that it is not designed to make a rigid criticism

upon the eligibility of members to a position on the Board of Missions, but only to ask the Committee of Nominations to inquire particularly into the proposed *personnel* of that body, to the intent of making it as effective as possible.

The Rev. Dr. HAIGHT, of New York. Unless the House is prepared to take the question on the original resolution, I prefer, with the consent of the House, to withdraw it. A great part of the object I had in view has been accomplished, and I have just been informed by a friend on the Committee of Nomination that they are disposed to take very much the same view, and in that way my object will be accomplished. If the House is ready to take the question, I do not wish to detain them longer. ["Question," "Question."]

The Rev. Dr. PERKINS, of Kentucky. Is the resolution withdrawn?

The Rev. Dr. HAIGHT, of New York. No, sir.

The Rev. Dr. PERKINS, of Kentucky. I then ask for the reading of the resolution. I have one which I propose to offer, and I am informed it is the same with the original resolution, but I think not. In order to be informed on that point I should like to have it read again.

The Rev. Dr. HAIGHT, of New York. I hope my friend from Rhode Island will withdraw the amendment.

The Rev. Dr. HENSHAW, of Rhode Island. I withdraw it.

The resolution of the Rev. Dr. Haight was read.

The Rev. Dr. HAIGHT, of New York. I will change the word "instructed" to "requested."

The Rev. Dr. PERKINS, of Kentucky. The resolution I propose to offer is just the same as the first part of the resolution of the delegate from New York. I, therefore, move an amendment to his resolution, striking out all after the word "Resolved," and inserting:

That no minister shall be eligible to a seat in the Board of Missions who does not take up an annual collection in behalf of some one of the three branches of the missionary work in charge of this Board.

The PRESIDENT. The motion would be more properly to divide the resolution as offered.

The Rev. Dr. PERKINS, of Kentucky. I move my resolution as an amendment to the resolution of the deputy from New York.

The Rev. Dr. MINNGERODE, of Virginia. There is a difference between the two. One is in the past and the other is in the present tense; one contemplates retrospective and the other present action.

The amendment proposed was read, as follows:

Resolved, That no minister shall be eligible to a seat in the Board of Missions who has not taken up an annual collection in behalf of some one of the three branches of the Missionary work in charge of this Board.

The Rev. Dr. HAIGHT, of New York. That is a positive statement. I moved that the committee be requested to inquire into the expediency of adopting some such rule. I do not care to bring this House to a direct vote on that question, and say no man shall be elected on a certain account

because he may be a very admirable member of the Board, who has been prevented by peculiar circumstances from doing what is required.

The Rev. Dr. PERKINS, of Kentucky. Very well. I am willing to incorporate that into my amendment, that they shall inquire into the expediency of this.

The Rev. Mr. HENSHAW, of Rhode Island. I ask the clerical deputy from Kentucky why it is that he mentions the clergymen alone, without mentioning the laymen?

The Rev. Dr. PERKINS, of Kentucky. Because the laymen do not take up collections in churches.

The Rev. Mr. HENSHAW, of Rhode Island. They attend the meetings of the Board.

The Rev. Dr. PERKINS, of Kentucky. I am opposed to that part of the resolution of the gentleman from New York which relates to attendance on the Board.

Mr. SMITH, of North Carolina. I hope, sir, this House will not pass either the original resolution or the amendment. I think the passage of either by this House would be equivalent to a vote of censure and punishment upon every member of the Board of Missions who has not taken up a collection during the last twelve months, and you thereby punish not only those who have had the opportunity of taking up these collections and presenting them to the Board of Missions, but you actually impose a censure and inflict punishment upon those who have not been able, from the force of circumstances, to afford any aid either by a collection or by an attendance upon the Board. Now, sir, when we look abroad throughout this extended country and understand that the Board of Missions is composed of men nominated from every section of this land, however remote, it must be apparent that it is impossible for every member to attend the meetings of the Board, unless at a very great sacrifice. There are regions in the remote South, and some not very remote from this city, whose members have found it impossible, who have not the means, to contribute to the support of the Board of Missions; and because they have not contributed, because they have not the ability to do so, is this Church therefore to pass such a resolution as will be a censure upon them? I submit that the proposition before us would be a vote of censure upon every minister and every layman who has not been so fortunate as to bring up his contributions. You heard the appeal of the reverend gentleman from Charleston. I have no doubt there are other churches throughout the South that have found it impossible to contribute to the Board of Missions, because their own immediate wants have called for another use of such means as they could raise.

Mr. STITH, of Mississippi. Mr. President I desire simply to say that the passage of this resolution, it seems to me, would exclude our diocese from any representation on this Board, and it may be so in reference to some other diocese, I do not know it is in reference to others; but as to ours I can speak what I know. Many of our churches are still lying in ruins; towns are springing up in which new congregations are being organized.

The Rev. Dr. HAIGHT, of New York. If my friend will give way, with the consent of the House, I will withdraw my resolution. I am not willing to contribute to the continuance of this debate. Measurably my object has been accomplished, and I ask

the House to give consent that I may withdraw the resolution.

The PRESIDENT. Will the House grant consent to withdraw the resolution? [Yes.] The Chair hears no objection, and leave is granted. The resolution is withdrawn.

F. RATCHFORD STARR.

The Rev. Dr. Perry, of Western New York, submitted the following resolution, which was agreed to unanimously:

Resolved, That the thanks of this House be tendered to Mr. F. Ratchford Starr, of the Diocese of Pennsylvania, appointed by the ecclesiastical authority of Pennsylvania, agreeably to the Canon, on the decease of Mr. Herman Cope, for his faithful services as provisional treasurer of this Convention, and that the Secretary be instructed to communicate this action of the House to him.

ELECTION OF TREASURER.

On motion of the Rev. Dr. Perry, of Western New York, it was,

Resolved, That the House proceed to the election of a treasurer.

Mr. BATTLE, of North Carolina. I nominate Mr. Starr, and move that the ballot be dispensed with.

The Rev. Dr. PERRY, of Western New York. Mr. Starr positively declines to serve, in consequence of a press of business, particularly now in consequence of his business connected with insurance offices in relation to the Chicago fire. I nominate Mr. Nathan Matthews, of Massachusetts.

Mr. WELSH, of Pennsylvania. I second that nomination, and move that the ballot be dispensed with.

The Rev. Dr. GOODWIN, of Pennsylvania. There is no need of such a motion, I apprehend. There is nothing said about a ballot in the provision for choosing a treasurer.

The PRESIDENT. I presume the Constitution requires it, unless it be dispensed with.

The ballot was dispensed with, and Mr. Nathan Matthews, of Massachusetts, was unanimously elected treasurer.

CHURCH IN PARIS.

The Rev. Dr. SCHENCK, of Long Island. I beg to submit the report of the rector of the Episcopal Church in Paris, and he has united with the vestry of that Church in requesting that this report be laid before both Houses, and that a joint committee be requested to take action upon it. It has been presented to the House of Bishops this morning. It has been entrusted to me, and I present it with a resolution that it be referred to a committee of three to act conjointly with a similar committee on the part of the House of Bishops.

Mr. WELSH, of Pennsylvania. If the committee are to report to us, there can be no objection, but if they are to act without reporting to us, I object.

The Rev. Dr. SCHENCK, of Long Island. I take it for granted that when we make a reference to a committee, appointed by this body it is for them to make their report to us.

Mr. WELSH, of Pennsylvania. That point had better be settled.

The Rev. Dr. SCHENCK, of Long Island. Is it necessary?

The Rev. Dr. HAIGHT, of New York. I think so, because the resolution says "to act."

Mr. SHEFFEY, of Virginia. Strike out the word "act" and insert "confer and report."

The Rev. Dr. SCHENCK, of Long Island. I accept the amendment.

The resolution as amended was agreed to.

RESTORATION TO THE MINISTRY.

The Rev. Dr. BURGESS, of Massachusetts. I present the following resolution of reference:

Resolved, That those parts of the digest of the Canons which relate to the deposition of a priest or deacon from the sacred ministry, and to restoration in a single case, be referred to the Committee on Canons to consider and report if it be desirable, on the one hand, to repeal the second provision of Section second of Canon 6 of Title II, or, on the other hand, to make a like provision for the possible restoration to the ministry of such as have been deposed under Canon 5 of Title II, or after trial, as provided in Canon 2 of Title II.

I will say in connection with this that up to the year 1862 the Canon of the Church was that no deposed minister could be restored to the ministry, and there were no circumstances under which he could be restored. This is what I desire should be restored to our Canons, and I favor therefore the first part of this reference, the striking out of the provision for the restoration of a minister in one solitary case. In the year 1862 it was provided that a minister abandoning the communion of the Church, as in Canon 6, Section 1, shall be restored under certain circumstances, a great many barriers being thrown around his restoration, but the restoration being rendered possible. My opinion with reference to it is, that as long as the ministry is not a right which any of us can demand but is a privilege granted to us, or an honor conferred upon us by the Church, if we abandon that privilege, or throw away that honor, we are not to seek it again and not to be restored to it. Therefore I would prefer that the Committee on Canons should report the repeal of that provision; but if the committee determine that that provision or some provision like it should remain in the Canons, it seems to me then that provision should be made for the restoration of ministers who have been deposed under other circumstances.

By looking at Canon 5 it will be noticed that a minister going to the Bishop and declaring to him his intention not to perform any ministerial act or to act as a minister in any way hereafter, may be deposed by that Bishop, the sentence of deposition being pronounced in the presence of two or more

presbyters. Many an instance might exist under the 5th Canon which could exist also under the 6th Canon; and yet one being deposed under the 5th Canon cannot be restored. Let us look at the difference between the two Canons.

"A clergyman abandoning the communion of the Church," is the title of the sixth Canon. The title of the fifth is, "The renunciation of the ministry." The difference in many cases would simply be this: That one clergyman would have the manliness and the sense to own that the vows which he had once made still rested sufficiently upon him to go and lay down those vows at the feet of the proper ecclesiastical authority, and to say that he desired to give them up; the other, the case of the man who can be restored, may be the case of one who goes by stealth and even by night away from the Church saying nothing of his intention, and the first that is seen of it by the Bishop of the diocese may be a flaming announcement in some newspaper of the immersion of such and such a distinguished divine at such and such a time, or of his reception into the "mother" Church by the Bishop of Newark, or some other Bishop of the Church of Rome. Now, I say, that in these two instances I would restore the former man a great deal more quickly than I would the latter. And going on from these cases to the cases of those who are deposed from the ministry after regular trial, it may be (as we have all seen who have been a number of years in the ministry), that there are cases in which clergymen have committed but a very slight offence, but being called to trial for that offence, have, under the advice of friends who are no friends, or under the advice of their own passions for the moment, refused to accept trial, or been obdurate or stubborn in some manner or way, and so at last have been deposed from the ministry when they never would have received any sentence for their first offence except simply a reprimand. Now I conceive that these clergymen, if clergymen are to be restored at all, should have an equal chance with the rest. Therefore, I move the reference of this subject to the Committee on Canons, that they may report, if possible, the same law which we had before the year 1862, or, if that be not possible, that all clergymen shall be placed upon the same level of possibility of restoration to the ministry.

The Rev. Mr. SCHEETZ, of Missouri. I have heard, within a short time, of a difficulty in reference to that subject something like this: that where a minister connects himself with some other religious body, unless he formally in certain terms notifies the Bishop that he renounces the ministry of this Church, he cannot be deposed for six months. I think the committee should take that subject into consideration in connection with this resolution.

The PRESIDENT. The question is on the motion of the Rev. Dr. Burgess to refer his resolution to the Committee on Canons.

The motion was agreed to.

BOARD OF MISSIONS.

The Rev Dr. FRANKLIN, of Indiana. I have been endeavoring to find out the relation that the Board of Missions bears to this body, and have read the Constitution and Canons, and have sought information from those who are supposed to be familiar with the subject. I can find nothing except that, in the rules of order, there is a Standing Committee provided for to be appointed to nominate members of the Board. Now, I presume this body sprang up in the year when that resolution was passed making the whole Church a missionary body and part of the Missionary Society. But I do not see that it has been embodied either in the Constitution or Canons that this Convention shall make these nominations, and shall stand in any official relation to this Board. There is an Article in the Constitution of the Board which says that this Convention shall nominate in the manner that it is now about to nominate, but there does not appear any action of this body acknowledging the authority of that Society, or agreeing to that Article of its Constitution. I have no doubt that it exists somewhere far back in the pages of our Convention Journal. It may have been a simple resolution, in which case it would have bound only the Convention that passed the resolution. It may have been a standing resolution, if such a thing can be, that will bind all subsequent Conventions, but I submit that if there is any such standing resolution binding all Conventions, it ought to appear either in the Constitution or in the Canons. I therefore offer the following resolution:

Resolved, That the Standing Committee on the Domestic and Foreign Missionary Society be requested to report upon the relation of the Board of Missions to this body, and that the Secretary be requested to show that relation by annual publication with the Constitution and Canons of the Church.

That is, this committee shall state to this Convention what the relation is, and then if it is found to be authoritative, and all in order, that it shall be printed in connection with the Constitution and Canons by the Secretary of the Convention.

The Rev. Dr. MEAD, of Connecticut. I can answer the question as well as that committee can. In 1835, the Church in General Convention in the city of Philadelphia, declared the great principle that every baptized member of the Church in the United States was a member of the Domestic and Foreign Missionary Society. Acting on that principle the Church in General Convention proceeded to organize that Missionary Society, and give it a Constitution which required that a Board of Directors should be appointed, that the business of the Society should be divided into two parts, one committed to a Committee on Domestic Missions, another to a Committee on Foreign Missions; and in that Constitution, the General Convention in 1835 provided by an article that at each triennial meeting of the General Convention a committee of a certain number should be appointed on the part of both Houses, and by

each House by ballot, which committee should be a committee of nomination to nominate suitable persons for directors of the Domestic and Foreign Missionary Societies, and at the same time made the provision by which I am one of the peers of the realm,—no General Convention can touch me; I am a member for life of the Board of Directors, having been a member before 1829.

It is under that article of the constitution which was given to the Society by this Church to constitute a board of directors, which board of directors and which Society is amenable to, and is required annually to report to, this Church, that we are required to go through this operation every three years of appointing a general committee by ballot to nominate suitable persons to be elected either *viva voce*, or by ballot as we choose in both houses. There is the answer to the whole question. It will be found in the Constitution of the Board of Missions.

The Rev. Dr. FRANKLIN, of Indiana. I have nothing to say in reply (for I supposed that just such facts would be brought out), except that the answer of the venerable gentleman from Connecticut does not touch my point. My point is simply this, that all those who have not had the advantage which he has had, and who, perhaps, are not likely to attain to it, may know, by taking up the Constitution and Canons as published by this Convention every year, exactly where the matter stands, and exactly how we stand in relation to it. That is all I ask, that we may know how it is, not simply that we may know that he knows. I was satisfied before I began that he and several other members knew all about this matter: but many of us do not know, and we want to have a place to turn where we can find every important matter in which this Convention is interested, and upon which it may be required to act. This is of so much importance that I think it ought to be either incorporated in a Canon showing that relation, a distinct and settled Canon, or else, if there has been any such action—which I, with due submission to those who know more about parliamentary affairs than myself, should suppose to be of exceeding doubtful efficacy,—if there has been any action on the part of this Convention in the mere form of resolution, and that action can bind us, so let it be, but let us know it, and let us have the place where we can find it. That is the point. My resolution covers exactly that point.

The venerable and learned gentleman from Connecticut has referred to this Constitution to which I referred in the first instance. The question is not whether this provision is in the Constitution of the Domestic and Foreign Missionary Society. That is not the point. It is evidently there; but how comes it before us—how is it that we, every three years, form this committee and make this nomination? That is all. It is a mere matter of detail.

The Rev. Dr. MEAD, of Connecticut. I think the gentleman's object will be accomplished by instructing the Secretary to print on the face of the Journal the Article of the Constitution which requires this, and that will be all that will be necessary.

The Rev. Dr. FRANKLIN, of Indiana. Of what Constitution?

The Rev. Dr. MEAD, of Connecticut. The Article of the Constitution of the Domestic and Foreign Missionary Society, a Constitution formed by this Convention.

The Rev. Dr. FRANKLIN, of Indiana. Merely let it show that fact.

The Rev. Dr. HOWE, of Pennsylvania. That would only provide for one Convention; that would only insure it in the Journal of this passing Convention, unless we pass a resolution that it shall always appear with the Constitution and Canons, as one of the permanent resolutions of the General Convention, or else, I agree with the gentleman from Indiana, that it ought to be cast in the form of a Canon, so that, by law, the Board of Missions shall exist as part and parcel of the organism of this Church. I move that as an amendment.

The Rev. Dr. FRANKLIN, of Indiana. I accept that amendment. I would have made it in the first instance, had I not supposed a matter of so much importance could not possibly have been passed over by the learned and cautious gentlemen who have had it for so many years in charge.

The Rev. Dr. GOODWIN, of Pennsylvania. Then I shall move that it be referred to the Committee on Canons to bring in a Canon to that effect.

The Rev. Dr. FRANKLIN, of Indiana. I am willing to accept that.

The Rev. Mr. FARRINGTON, of New Jersey. I beg to call attention to a particular case. There is nothing in our Constitution about the General Theological Seminary; but that Seminary exists under its own Constitution. I merely bring it in as an illustration, showing that if this is done in this case, it ought to be done in the other.

The Rev. Dr. HARE, of Pennsylvania. I should be in favor of referring the whole matter to the Committee on Canons being of the belief that every permanent resolution of this Church is in effect a Canon and ought, for the convenience of its members, to appear in the Digest. If it is in order, I move that this resolution be referred to the Committee on Canons.

The PRESIDENT. The question is on the motion to refer this resolution to the Committee on Canons.

The motion was agreed to.

AMENDMENT OF A RUBRIC.

The Rev. Mr. SHIPMAN, of Kentucky. On Wednesday I offered a resolution looking to some explanation of the first Rubric before the Communion Office, and it was referred to the Committee on the Prayer-Book. I have since learned that there are others, not only in this House, but in the House of Bishops, who have this matter very near at heart, and who would desire that it should come up in another form, and I think a more practical form. I therefore wish to ask leave of the House to withdraw my resolution, and as the due preliminary to this request, I move that the Committee on the Prayer Book be discharged from the consideration of that resolution.

The motion to discharge the committee was agreed to.

The Rev. Mr. SHIPMAN, of Kentucky. I now ask leave to withdraw the resolution.

Leave was granted.

The Rev. Mr. SHIPMAN, of Kentucky. I will now offer a resolution to take the place of that:

Resolved (the House of Bishops concurring), That a joint committee be appointed to consider and report to the next General Convention what action, if any, is desirable in addition to, or explanation of, the provisions already enacted by this Church for the godly discipline of its communicant members.

The Rev. Dr. LEWIN, of Maryland. I move that that resolution be laid on the table.

The PRESIDENT. The Chair would suggest that this is a very important matter, and if it is laid on the table, the House will have time to consider it and it can be called up at any time.

The motion to lay on the table was not agreed to.

Mr. WELSH, of Pennsylvania. You see the importance of that. We have provision for the trial of Bishops and clergymen, but nothing for laymen. I think it is high time they were looked after. [Laughter.]

The Rev. Dr. HALL, of Long Island. That is so important a proposition that I move to postpone it. I ask that the mover name a day which will be satisfactory to him. Certainly we cannot vote on this resolution before the order of the day comes up as it will do in a moment. I have no doubt the matter is important and is considered very serious by the gentleman who offers it, and I see that members are interested in it; but we are required to decide it now without any discussion or any information. We want to know what we are to refer. We give a certain *imprimatur* by referring it. I am not here to be referring anything blindly. I want to know what it is that I am voting to refer and what I am to expect this committee to take into consideration. If the resolution is pressed now, I shall move that it be deferred to Wednesday next at 12 o'clock, and be the order of business for that time.

The Rev. Dr. HAIGHT, of New York. I hope we shall not make this matter the order of the day for Wednesday or any other day. We have some very important questions demanding the attention and consideration of the House, which ought to be acted upon at this session. This is a matter which cannot, in its ultimate issue, come before this Convention. I have no objection to its being postponed to take its chance on any day when the mover can get the floor; but we ought to be very careful how we tie ourselves down by orders of the day, unless with regard to matters which we expect to take up and decide for the Church at this session. I hope, therefore, my friend from Long Island will merely move to postpone this question.

The Rev. Dr. HALL, of Long Island. I accept that amendment to my motion.

Mr. MATTHEWS, of Massachusetts. I call for the order of the day. The resolution of the gentleman from Kentucky has been offered, and it is evidently involving debate. I therefore insist upon the order of the day.

The PRESIDENT. The order of the day being called for, must now be taken up. It is the report of the Committee on Canons upon the memorial of the Federate Council of the dioceses within the State of New York.

NEW YORK FEDERATE COUNCIL.

The House proceeded to the consideration of the report of the Committee on Canons, which proposed adoption of the following resolution:

Resolved (the House of Bishops concurring), That the General Convention doth hereby approve such of the powers proposed to be exercised by the Federate Council of the State of New York, as are set forth in the 1st and 2d Sections of Article 1st, and in Article 2d of the Declaration of Powers submitted for the approval of the General Convention; but doth decline to approve the 3d Section of Article 1st of the said Declaration of Powers, for the reason that Article 6 of the Constitution confers upon each diocese in said State the power to institute the mode of trying presbyters and deacons therein, including a Court of Appeals, if such diocese elects to institute such tribunal for itself; and whether such Appellate Court shall also be the Appellate Court of any other of the Dioceses in said State, is a matter of discretion and concurrent choice on the part of the Convention of such other Dioceses respectively. But the approval of powers hereby given, is upon the express condition that the regulations proposed to be enacted, as suggested in the 2d Article of the Declaration of Powers, aforesaid, shall be accepted and approved by the Conventions of all the Dioceses in said State; and it is hereby further declared that the General Convention doth hereby reserve to itself the right to withdraw the approval of powers, hereby given, at its pleasure.

The Rev. Dr. HAIGHT, of New York. Judge Sheffey was requested by the Committee on Canons to explain the report, and was about to discharge that duty, when it was made the order of the day for to-day.

Mr. SHEFFEY, of Virginia. Mr. President, at the last session of the General Convention, a canon was passed authorizing the organization in the State of New York of a Federate Council, consisting of the dioceses within the limits of that State. The canon provided that this Federate Council should not exercise any powers without the previous consent of this General Convention. At the present General Convention an application came from the Federate Council of the State of New York, setting forth the fact that they had organized under the canon of the last session of the General Convention and declaring the powers they proposed to exercise as a Federate Council. Those powers were as follows:

"1. The said Federate Council shall have full power to deliberate and decide on all matters pertaining:

"1. To such civil legislation as the common interest of the Church in the State of New York may require."

That declaration of power it was unnecessary for this Federate Council to communicate to this present General Convention, the authority in advance having been given to the Federate Council by the canon of the last session of the General Convention. However, it is included in the enumeration of powers.

Next, they ask full power to deliberate and decide also on subjects relating:

"2. To the promotion of the interests of Christian education, and to the furtherance of joint work for the extension and prosperity of the Church."

There was no objection on the part of the committee to the exercise of this power. For the present I will pass over the third section of the first article of

the declaration of powers. The second declaration of powers was in these words:

"II. And the said Federate Council shall have full power to enact all regulations necessary to its organization and continuance, and to the ends contemplated in the foregoing declaration, not inconsistent with or repugnant to the Constitution and Canons of the General Convention of this Church, or of any one of the dioceses concerned; or to the law of the Rubric as contained in the Book of Common Prayer and offices of this Church."

There was no objection on the part of the Committee to this second article of the declaration of powers. The only question that arose before the committee, which produced any embarrassment, was the third section of the first article of the declaration of powers:

"3. To the establishment of an Appellate Court, to which, under the Canons of any particular diocese, appeal may be made from the decision of any Diocesan Court in said State."

Upon that question the committee were of opinion, first, that as the Constitution of the Church, now stands, each diocese within the State of New York has the power to institute the mode of trying presbyters and deacons within its own borders. Whether this be regarded as in the nature of a grant of power from this General Convention to these dioceses, or, as some insist, a recognition of a power already existing in the dioceses, I will not now discuss. Suffice it to say that, as the Constitution stands, the committee believe this power to be beyond the control of this General Convention; and therefore that any judicial tribunal erected in either of the dioceses covered by this Federate Council's jurisdiction, must, under the Constitution, originate in the diocese itself. The proposition of the Federate Council of the State of New York was that that Federate Council should organize a court which should constitute part and parcel of the mode of trying presbyters and deacons for the respective dioceses.

The committee were of the opinion, in the first place, that a court bearing the *imprimatur* of this General Convention of an appellate character of this sort, would, by reason of the sanction of this General Assembly, acquire in itself a power, a potential influence, over great questions of ecclesiastical law, which the General Convention had no right to grant, except to a tribunal universal in its jurisdiction, and whose decrees were to bind the entire Church. We were called on to grant a power, to delegate a power; and if we were to grant this power to the Federate Council, it would be because we had the right to delegate the power; and if we had the right to delegate the power with the consent of the dioceses, we had the right to delegate the power without their consent; for if the matter stood upon diocesan consent, then, under the report of the committee, that power is guaranteed to the dioceses within this Federate Council's jurisdiction.

Permit me, then, to call the attention of the House to the reasons given for the action of the committee in declining to recognize this power. The resolution of the committee is:

Resolved (the House of Bishops concurring), That the General Convention doth hereby approve such of the powers proposed to be exercised by the Federate Council of the State of New York, as are set forth in the 1st and 2d Sections of Article 1st, and in Article 2d of the Declaration of Powers submitted for the approval of the General Convention; but doth decline to approve the 3d Section of Article 1st of the said

Declaration of Powers, for the reason that Article 6th of the Constitution confers upon each diocese in said State the power to institute the mode of trying presbyters and deacons therein, including a Court of Appeals, if such diocese elects to institute such tribunal for itself; and whether such Appellate Court shall also be the Appellate Court of any other of the Dioceses in said State, is a matter of discretion and concurrent choice on the part of the Conventions of such other dioceses, respectively.

The only point of difference between the act agreed to by the committee, and the act as sought to be approved is this, That, however the Appellate Tribunal may act, it acts from the motion of the respective Diocesan Conventions and it is not an Appellate Tribunal created by the moral force of surrounding circumstances or of public opinion, contrived by the Federate Council, and, as it were, imposed upon the respective dioceses.

Then the question occurs again, and a very grave one,—if the dioceses within this Federate Council, uniting together by rules and regulations, and under a compact such as is contemplated in these powers, do agree to accept the Appellate Court prepared for them by the Federate Council, can they or can they not resume their constitutional right under the sixth article of the Constitution. That point will come up at once, and a conflict of rights and a confusion of jurisdiction must inevitably ensue if, pending a matter that arrays diocese against diocese, a question goes up from a diocese to this federative appellate tribunal, and the Diocesan Convention revokes its consent and establishes an Appellate Court for itself. Can this General Convention say that it will not have the power under the Constitution so to do? And if so, I say that a very grave question will arise of conflicting right and conflicting jurisdiction.

But my objection personally to this tribunal is what I have intimated before. Our Church, as was said by that great and good man the Bishop of Lichfield, is a Church characterized by an elastic liberty whilst under the gentle restraint of substantial control. There are differences amongst us; there are matters that we do conscientiously differ about; there are questions trenching upon doctrine, there are questions involving usage and practice, about which the minds of the good men of the Church are at variance. I would rather let each minor jurisdiction decide these questions within its own borders, quietly, peaceably, and to the satisfaction of their own peculiar constituency, than to begin the erection of these imposing aggregations of opinion and sentiment of five, six, ten dioceses in a Federate Council assembled with their august Federate Court to pronounce upon the law of the Church, its doctrines, its usages, and its practices, which, when pronounced, may sway the judicial mind of the entire Church without authority to bind the Church.

I am afraid, sir, of this beginning in the way of establishing judicial decisions affecting the doctrines of the Church, its usages, and its practices, which will, I say, by the moral power of these decisions, affect the judgment and the mind of the Church without a responsibility coequal with the influence of those decisions. If we are to have judgments pronounced upon practice, judgments pronounced upon Church usage, in the name of our common Church, and the great Head of the Church, let it be a judgment that shall speak for all and bind all.

The State of New York may, in ten years, contain

ten dioceses, and the principle of this Federate Council will not preclude the possibility of including ten States in a Federate Council. The association of dioceses is the idea, and if these gigantic associations, these provincial ecclesiastical empires, as it were, with their imposing and august ecclesiastical courts, are to spring up, I say they are bound to dwarf the minor dioceses, and by their judgments and rulings, to sweep over the entire length and breadth of our ecclesiastical jurisdiction.

I therefore say that the principle upon which this report is based, is constitutional. Let the diocese of New York, if it chooses, by its own action, organize its Appellate Court. If the Diocese of Albany should concur in selecting the five Judges of the Supreme Court of Appeals of the State of New York, together with the Diocese of New York, or the Diocese of Long Island, we cannot say that they shall not do so; but it will still be as to each decision, as to each matter submitted to it, the judgment of the Appellate Court of the Diocese of New York; of the Diocese of Long Island; of the Diocese of Albany, and will not go before the world as the decision of the Appellate Court of the Federate Council of the entire State of New York.

It may seem a distinction that involves only name; but, sir, we all know too well that there is power, moral power, controlling influence, in a name; that by the sanction and approval of this body aggregates the wisdom, the opinion, the sentiment, of five dioceses in one tribunal.

I content myself with merely stating that, as to myself, I only feel that interest in this subject which every Churchman feels in keeping things moving on in constitutional channels, and as my learned clerical friend from Massachusetts [the Rev. Dr. Vinton], said, not straining the Constitution unless some imposing exigency calls upon us so to do. Let us stick by this Constitution where its land marks point out to us the duty of the hour; and when we are called upon, as is now the case before this Committee on Canons, to consider the question whether we will have a Supreme Appellate Court that shall bind New York, Virginia, California, and Texas all alike, the question then will be, shall we have such a tribunal, or leave it as the Constitution leaves it, for each diocese to decide the matter for itself. For myself, I have not yet come to a deliberate conclusion as to the highest tribunal referred to; but I am, for the present, at least until that question is decided, opposed to any intermediate tribunal of moral or judicial power.

With these remarks, Mr. President, I submit the report of the Committee to the consideration of the House.

Mr. COMSTOCK, of Central New York. Mr. President, this being one of the few important subjects before the Convention, I ask leave of the House to make some brief observations upon it at this time, and I will preface them by offering an amendment to the report of the Committee on Canons,—an amendment which, I trust, will meet most, if not all, the objections which have been urged in the argument of my honorable friend from Virginia. The amendment I propose is, to strike out all after the word "Resolved," and to insert as follows:

That this Convention does hereby approve the powers proposed to be exercised by the Federate Council of the State of New York, as the same are set forth in the said declaration; but this approval is given without affirming that it is necessary for the ex-

ercise of such powers, and without determining that the General Convention can institute a Court or Courts of Appeal otherwise than by an Amendment to the Constitution; and upon the conditions: first, that such approval may be withdrawn by any General Convention; and, second, that no diocese shall be bound by said Declaration of Powers until the same shall have been adopted by a Convention thereof.

Now, Mr. President, I beg leave first, to call the attention of the House to the Canon passed by the last Convention; Canon 8, of Title III., which is a provision that

"It is hereby declared lawful for the dioceses now existing or hereafter to exist within the limits of any State or Commonwealth, to establish for themselves a Federate Convention or Council representing such dioceses, which may deliberate and decide upon the common interests of the Church within the limits aforesaid; but before any determinate action of such Convention or Council shall be had, the power, proposed to be exercised thereby shall be submitted to the General Convention for its approval."

Upon that Canon the Confederated Dioceses of the State of New York have now presented themselves to this Convention. I greatly misunderstand that Canon, if it is not a fair implication from its terms, that when the Confederated Dioceses came to this Convention, with a fair and reasonable schedule of powers, this Convention would approve them. This is plainly implied in the terms of the Canon itself; and I do not entertain the idea that the Convention will go back upon that promise, unless we propose or present something which, in its nature, ought not to be approved by this Convention.

The powers proposed to be exercised relate, "first, to such civil legislation as the common interests of the Church in the State of New York may require;" in other words, to the relations of the Church with the political powers of the State—a subject so clearly local, so clearly within the powers of the Church in the State of New York, that I can very confidently say that the Dioceses of that State would never have come to this Convention for any such purpose.

"Second, To the promotion of the interests of Christian education and to the furtherance of joint work for the extension and prosperity of the Church." All that is so clearly within the powers of the Church in the five dioceses in the State of New York, united for that purpose, that it is hardly to be supposed that the leave of this Convention would have been asked for any such object.

The third is "to the establishment of an appellate court to which, under the Canons of any particular diocese, appeal may be made from the decision of any Diocesan Court in said State." The Committee on Canons are perfectly willing to grant the two first in this schedule of powers. They are willing to give us a Federate Council if, when we get together, we do not do anything in particular. Their objection is to the establishment of a judicial tribunal within the State, to which appeals can be made from ecclesiastical cases arising within the State, in the respective dioceses; and whosoever will read their resolution suggesting reasons for declining to affirm that power, will find that the only reason given is that the power is already possessed in the State. They say:

"For the reason that Article 6 of the Constitution confers upon each diocese in said State the power to institute the mode of trying presbyters and deacons therein, including a Court of Appeals, if such diocese elects to institute such tribunal for itself; and whether

such Appellate Court shall also be the Appellate Court of any other of the dioceses in said State, is a matter of discretion and concurrent choice on the part of the conventions of such other dioceses, respectively."

The suggestion there is that any one of these dioceses may organize a Diocesan Court of Appeal, and that the other four dioceses of the State may adopt that court if they will. The proposition is, perhaps, a truism; and yet, with great deference to the Committee on Canons, it seems to me to have no practical sense, because it is not to be conceived for a moment that a court organized by and in the diocese of Long Island will be adopted by the dioceses of the other parts of the State; but, at all events, I thank them for the concession that this is within the power of the Church in the State of New York; because if the concession means anything sensible it means this, that the plan of an appellate court may be framed by any competent hand whatever, and that each diocese in the State may adopt that plan; thus, by the separate action of the several dioceses, making it the Appellate Court of that part of the American Church.

The Committee on Canons necessarily concede that, and I believe it, and I presume I speak the sentiments of the deputations from New York. Therefore, we do not ask an affirmative grant of power from this Convention to institute such a tribunal. If any one has a constitutional scruple on this subject, we will respect that scruple. I do not myself share in the doubt as to a question of constitutional law; but I take it upon the concession of the Committee on Canons, about which I have no doubt, that the dioceses themselves, by the consent of each of them, may institute this court, in the absence, of course, of any legislation by this Convention for courts of appeal.

Therefore, what we ask of the Convention, and all that we ask of this Convention, is its moral sanction to what we are about to do, and that is the language of the amendment which I have proposed. We ask the Convention to say that it has no objection to our attempting this exercise of power in the face of the whole Church, and for its example, if it seems to work well on observation of its workings. Just so far as this, the Convention of three years ago seemed to think they would go. The subject of a Provincial System, embracing a provincial jurisprudence, was then very much agitated, and the canon to which I have referred grew out of that agitation. The Convention said they would not then establish a general provincial system, embracing courts, but they would go just so far as this to allow an experiment of federation to be tried in those States which embraced a plurality of dioceses, and that is just what we propose to do. The last Convention had the idea, no doubt, of setting that up as an experiment, an example under the observation of the whole Church in the United States to watch and observe its workings before a provincial system should be established.

Now, Mr. President, it is proposed to take this power, subject at any moment to the action of the

General Convention revoking it, and without any declaration of the Constitutional right of this Convention to institute such a court except in the way of Constitutional amendment. There is the doubt, I suppose. The Constitution provides for diocesan tribunals for the trial of presbyters. That is supposed to embrace a Diocesan Court of Appeals. I think not. I think it only relates to trials in the first instance and not to a court of appeals, and, therefore, that this Convention has never legislated in the Constitution or otherwise in regard to a court of appeal. But at the same time, it being conceded that this is within the power of the dioceses of the State of New York, we propose to take it in that way and to ask only the moral sanction of this Convention.

I ought to add that the question of organizing an appellate tribunal or tribunals is before the Committee on Canons; and if this Convention should act on that subject affirmatively, it would absorb the present question. I am, therefore, quite content that this matter should now lie on the table until the report of the Committee on Canons on that subject shall be disposed of.

Mr. BURGWIN, of Pittsburgh. I agree heartily with the argument made by the honorable gentleman from Central New York. I obtained leave from the Committee on Canons to express here my dissent not so much with the action and conclusion at which they arrived, as the mode by which they arrived at it.

My principal object in the Committee on Canons was to avoid the raising of that constitutional question which, by the arguments of the gentleman from Virginia, and now the gentleman from Central New York, is now before the House. I think it is premature to discuss that question until the Committee on Canons shall have deliberated upon it. I was willing to keep it out of this House and, for that reason, I agreed to vote when this matter should come before the House to strike out the section giving this Federate Council the right to establish this Appellate Court. I believe then, and I believe now, that it is perfectly within the constitutional right of this Convention to make such a court; but, inasmuch as it was not necessary to decide that, in order to give the Federate Council of New York the powers which they ask, I agreed temporarily that that should be stricken out, knowing, as the gentleman from Central New York says, that when that matter comes before this Convention as a general question embracing the whole country, this will be a part of that, and therefore our action now would be premature in committing this House possibly to one side or the other of that question.

Without having duly considered it, I believe that under the Constitution as it now stands no question can be raised as to the right of any diocese to adopt an Appellate Court as its method of trying a presbyter. The Constitution gives certainly to the different dioceses the right to institute that method, and whether they do so by a court of final appeals within the diocese itself, or whether they adopt,

when submitted to them, a plan for an Appellate Court concocted in Federate Council, I say it is equally within the Constitution and will be that diocese's mode of instituting a method of trying presbyters and deacons.

I had intended to argue it more fully, but inasmuch as the gentleman from Central New York, who represents the Dioceses of New York upon the floor here, is willing that this shall go over, I coincide with him entirely in believing that we had better postpone this matter until we hear from the Committee on Canons, and then it may be no longer necessary to consider the question now before us. I therefore second the motion of the gentleman from New York, that the matter be postponed for the present.

Mr. JOHNSON, of Western New York. I rose when the gentleman from Pittsburgh did, but the floor was awarded to him; and he has expressed the views I desired to present to the Convention on the subject of the postponement of this business for the present. The Committee on Canons have now before them the question of the power of this Convention to adopt a uniform judicial system with an appellate court for the whole Church, and that is a question which the Committee on Canons will have to meet. The Constitution already provides that each diocese may constitute a court for the trial of priests and deacons. One question is presented whether that court provided for the trial of these persons, is not one thing, and a court for the review of that trial another thing, a distinct and separate court. No provision is found in the Constitution for an appellate court. Then comes the question as to the power of this body; whether outside of what is specified in the Constitution, we have not a general power, independent of any limitation in the Constitution, of providing for that appellate court. In my judgment we have such power; but I think no gentleman should be committed to that question now because it is before the Committee on Canons, and it is a question which they have got to meet and present to this body. It is highly proper, therefore, that the matter now before us should lie on the table for the present, because if we adopt a general system of appellate courts this question of the Federate Council is merged in that, and action upon it would be inappropriate and would go for nothing. I suggest, therefore, that this matter lie upon the table for the present.

Mr. RUGGLES, of New York. I wish merely to express my earnest wish, as one of the delegation from the Diocese of New York, that this discussion may be postponed until we can get the all-important report from the Committee on Canons as to whether or not this body has a right to establish a general court of appeal, without an amendment of the Constitution. I claim that it is impossible to discuss this question at all without embarrassment at every step until that fundamental proposition shall be known, to wit: whether this Convention has authority to establish such a court, because it is a power not prohibited, or

whether it must seek authority by an amendment of the Constitution. The same remarks which apply to one, will apply to the other, and it is impossible to discuss the one without the other. I therefore join most heartily in the wish that this may be postponed; but when it does come up, I think I shall be able to show to the satisfaction of my friend from Virginia that the court will not have the effect which he supposes, but on the contrary will be a very beneficial experiment in the Church, to be kept at all times in subjection to the authority of this Convention. I renew the motion that it be postponed until we shall hear from the Committee on Canons on the general subject.

Mr. SHEFFEY, of Virginia. I suppose it is the general desire of the House that the question shall be postponed. I should like to say a word in reply to the distinguished gentleman from Central New York [Mr. Comstock], but I will not trespass longer, as I never desire to do a vain thing before the House. If the question is to be postponed for future consideration, I shall avail myself of another opportunity to point out what I believe to be, I will not say the want of sense in the amendment proposed by the gentleman from Central New York, as he has been pleased to characterize the proposition of the Committee on Canons to be destitute of sense, but, at least, the want of legal logic in his argument when he contends that there is a power in the diocese to establish an appellate court, and at the same time only invokes the moral assent to the exercise of that power by the diocese.

Mr. COMSTOCK, of Central New York. I don't so contend by any means. I contended that there was power.

Mr. SHEFFEY, of Virginia. I move that the report be laid on the table, to be called up at any time after the other report shall come in.

The motion was agreed to.

NUMBER NECESSARY TO CONVICT A MINISTER.

The Rev. Mr. MARPLE, of Pennsylvania. I have a mere matter of reference to lay before the House bearing on this general topic. I will read it:

These words are proposed as an amendment to Canon 2, Title II., paragraph 1: "In the case of the trial of a minister for holding and teaching, publicly or privately, and advisedly, any doctrine contrary to that held by this Church, the consent or approval of two thirds of the number of persons constituting the court of trial shall be necessary to a conviction."

The idea is in accordance with Article 6 of the Constitution, which provides that—

"In every diocese the mode of trying Presbyters and Deacons may be instituted by the Convention of the Diocese"

This will not conflict with that. On looking at the Canon "Of the trial of a Bishop," you will find it is provided that—

"Three fourths of such Bishops shall constitute a quorum; but the consent of two thirds of all the Bishops entitled to seats in the House of Bishops shall be necessary to a conviction,"

The idea, then, is to harmonize the action of the General Convention in reference to the trial of

Bishops and of clergymen. I move its reference to the Committee on Canons.

The motion was agreed to.

THE HYMNAL

A message (No. 21) was received from the House of Bishops, announcing the passage by that House of the following resolutions:

Resolved (the House of Clerical and Lay Deputies concurring), That the Hymnal reported by the Joint Committee of the General Convention be authorized for use in this Church, and that no other hymns be allowed in the public worship of this Church, except such as are now ordinarily bound up with the Book of Common Prayer.

Resolved, That the Committee be authorized to make arrangements for the publication of this Hymnal, so as to defray all expenses already incurred for printing the present edition.

Resolved, That the first resolution contained in the report of the Committee shall take effect and become authoritative on the Feast of the Epiphany.

Resolved, That this Hymnal shall not be bound up with the Book of Common Prayer until order to that effect shall be taken by the General Convention.

Resolved, That the Committee on the Hymnody of the Church shall be continued, with instructions to make such alterations in the text of the Hymnal now adopted as may be needed in order to secure accuracy and literary completeness.

Resolved, That suggestions as to the introduction of hymns into the Hymnal or the omission of hymns from it may be submitted to the Committee until Tuesday, October 17, 1871, at 3 o'clock, and that the Committee be requested to report their judgment thereon before the adjournment of this Convention.

Resolved, That if the said supplementary report shall be adopted by the two Houses of the General Convention, the Committee shall be thereby instructed to amend the Hymnal accordingly.

Resolved, That a royalty of ten per cent. upon all sales of this Hymnal shall be secured, said royalty to meet the expenses of the General Convention, after the expenses incurred for printing the present edition shall be paid.

The Rev. Dr. HAIGHT, of New York. I move that the consideration of this message be postponed until to-morrow at 12 o'clock, when the report of the Committee on the Hymnal is to come up.

The motion was agreed to.

TERRITORIAL DELEGATES.

The Rev. Dr. GOODWIN, of Pennsylvania. I now move to take up the unfinished business of yesterday, upon which, I believe, I am entitled to the floor.

The motion was agreed to, and the House resumed the consideration of the following proposed Canon, reported from the Committee on Canons:

"Canon Authorizing the Appointment of Delegates from Missionary Jurisdictions:

"The Standing Committee in any Missionary Jurisdiction of this Church, or, if there be none, a convocation, consisting of the clergymen and laymen in any such jurisdiction, may, with the concurrence of the Bishop, send one clerical and one

lay delegate to any General Convention of the Protestant Episcopal Church in the United States of America. Such delegates shall be entitled to seats on the floor of the House of Clerical and Lay Deputies, and may speak on any question directly and specially affecting their respective jurisdictions, and no others, and shall not have the right to vote, or otherwise take part in the business of the House."

Mr. RUGGLES, of New York. With the permission of the gentleman from Pennsylvania, I offer the following amendment, so that it may go into the discussion, and thus perhaps facilitate the matter:

Resolved (the House of Bishops concurring), That the Bishops in the Missionary Jurisdictions of the Church be respectfully authorized, in their discretion, to designate one clergyman and one layman, resident in said jurisdictions, to attend the meetings of the General Convention, who shall be entitled as delegates to seats in the House of Clerical and Lay Deputies, with the right to participate in its debates on the local interests of the Church in said jurisdictions, but with no right to vote.

The Rev. Dr. GOODWIN, of Pennsylvania. That resolution must be considered as a part of my speech. It is not presented, as I understand, to be acted upon at the present time, but simply for information.

I do not rise to object to the Canon originally proposed by the Committee on Canons, or to this amendment, or to any plan of this sort, on any other ground than simply to inquire whether so formal and permanent a kind of legislation is requisite under the circumstances; that is, to inquire whether there is any need of such legislation. It takes up a great deal of time to discuss such a question as that here. It is true we legislate at once if nobody objects, as I do in this case; but then we burden our Book of Canons without end, until finally nobody will understand that Book of Canons half so well as he does now; and there is not a man in the Church who comprehends the Canons of the Church. I believe my clerical colleague (Dr. Hare) knows as much about the Canons of this Church as any one, and certainly the venerable member of the Committee on Canons from the Diocese of Connecticut (Dr. Mead) knows as much about them as any one in this Church knows; but I doubt whether either of them is willing to say that he is ready at any moment with a thorough apprehension of the bearings and inter-connections of all the canonical legislation of this Church. It has become excessively confused. Therefore I say, that I think we shall save time and trouble by looking carefully into our legislation as we go along, and not burdening our Book of Canons with unnecessary rules. That is my apology for taking the time of this House, and entering into the question in that point of view—is it necessary?

I will say further, in the way of introduction to my principal points, that the resolution now offered as an amendment brings up one of the ideas that belong to the original question, namely, whether the Bishop of a missionary jurisdiction should have a representation in his own person in the House of Bishops, and also have representation in this

House; for it makes but little difference whether the Bishop appoints the delegates who are to represent the Missionary Jurisdiction in this House, or appoints the Standing Committee of two clergymen and two laymen who are to appoint the delegate in this House; we have really a representation of that Bishop in the House of Bishops, and another representation of that Bishop in this House. I am not afraid of the Bishop or of the representation; but is it necessary?

Again, we have the the Missionary Jurisdiction of Dakota. It is under the charge, if I am right, of the Bishop of Nebraska. The Bishop of Nebraska represents himself in the House of Bishops. The Diocese of Nebraska is represented in this House. In addition to that, we are to have a representation from the Missionary Jurisdiction of Dakota in this House. That will do no harm at all; but is there any need for it? The Missionary Jurisdiction of Dakota has already brought in its memorial here, upon which we have acted. It may bring in a memorial at any time and be sure of the full, respectful, and earnest attention of this House; and if that Missionary Jurisdiction desire to have a man here to set forth its claims and wishes, there are men enough in this Convention who will be perfectly ready and glad to do it. Not only so, if they desired at any time to send their own man here to do it, the permission would be gladly granted for him to set forth all that was desired. But, sir, there is a great difference between that and what is here proposed, which is to invite all these Missionary Jurisdictions to send two men here to talk to us, whether they want to or not. If they come here, they come here to talk to us, and, of course, they will not come from the distant wilds of the West, they will not come this great journey to talk to us, and then fail to make use of and to magnify the office committed to them.

I cannot see that there is any necessity for inviting this. The doors are fully open to all applications to this Convention, either in the way of memorials, or in the way of defending those memorials, through the members of this Convention, or to the Convention by others upon invitation. I do not say that there is anything in this to hurt us at all, but it is encumbering ourselves with unnecessary legislation which may invite to further discussion and talk among us, to even more speeches than I am disposed to make, [laughter,] and the Convention I suppose, many of them at least, would be glad to be delivered from them, and if so, perhaps from the more speeches to which this proposition will give rise.

Again, these Missionary Jurisdictions, as the matter now stands, so far as I am informed, are included in the States or the Territories of the United States. We have now no Missionary Jurisdictions which are not contained either within the States or the Territories of the United States; and this action is proposed for the relief, I take it, in some sense, of some parties within those States and Territories. I argue then now that there is no need of such relief. Article 5 of the Constitution reads:

"A Protestant Episcopal Church in any of the United States, or any Territory thereof, not now

represented, may, at any time hereafter, be admitted on acceding to this Constitution."

I do not argue that we are obliged to admit them, though I might, for I do suppose that with such an article of the Constitution, if they organize themselves and accede to this Constitution, and this Constitution says they "may be admitted," the presumption is that as a matter of course they will be admitted unless there be some special ground of objection. It is not said "they shall be admitted;" that I admit beforehand, lest somebody should make a point upon it; but I think, in such a connection, they "may be admitted" is a moral rule for us; the implication is that they come here of right. Let me read it again:

"A Protestant Episcopal Church in any of the United States, or any Territory thereof, not now represented, may, at any time hereafter, be admitted on acceding to this Constitution."

I said that many members of this Church were not well acquainted with our Canons, and I think I may appeal to the consciences of many members of this General Convention whether they suppose that such a Church could come in here upon the simple condition of acceding to the Constitution, whether they did not think a certain number of presbyters and a certain number of parishes were requisite. It never was requisite; but I think a great many members of this Convention have acted on the supposition that they could not organize except there were a certain number of presbyters and parishes. But, sir, no such thing is required by the Constitution. Two presbyters and two laymen, as far as I know or can see, could organize and accede to this Constitution, for anything there is here in it. That provision in the Constitution which refers to the number of presbyters, the number of parishes, and things of that kind, refers, as you all see, exclusively to a new diocese to be formed from one or more existing dioceses, and then there are restrictions.

If you say there is an existing diocese, I meet it here *in limine*. Dakota is included in a missionary jurisdiction, and that has never been called, to my knowledge, in the terminology of the Canons of this Church, a diocese. We speak of "Missionary Districts," and "Missionary Jurisdictions," but they are not dioceses, and, therefore, the formation of such a diocese in Dakota, for example, would not come under the category of a division of any diocese, or any diocese to be formed out of existing dioceses. It is clear to me that they have a perfect right and power to get representation here if they want it and need it. Let them organize themselves, and take upon themselves all the machinery, and all the duties required by the Constitution and Canons of this Church of the dioceses of this Church, and they have a right to come here and ask to be admitted under circumstances under which I hold it to be our constitutional duty to admit them, if they want a representation.

Mr. SHEFFEY, of Virginia. Allow me to ask my friend from Pennsylvania this question: whilst they might organize themselves so that they might accede to the Constitution, how could they have Episcopal supervision?

The Rev. Dr. GOODWIN, of Pennsylvania.

That is just what I am about to look at. As to Episcopal supervision, they cannot proceed under the Canons of this Church to elect a Bishop until they have a certain number of presbyters and parishes.

Mr. SHEFFEY, of Virginia. But the point I desired to raise was this: under Section 7 Canon 13, the Missionary Bishops can only exercise their functions "in States or Territories not organized into dioceses." Therefore, the Missionary Bishop could not serve if it was organized into a diocese, and there could then be no possible inducement for the formation of a diocese, until they were prepared to support a Bishop.

The Rev. Dr. GOODWIN, of Pennsylvania. That is an important consideration, certainly, and I appreciate it fully. At the same time it is a question simply of conflicting interests and wishes as the organized diocese could have, under the Canons of this Church, Episcopal supervision as far as I see, and unless there were peculiar circumstances in the case, could certainly have Episcopal supervision without any difficulty. Why, Mr. President, I happen to have grown up in a diocese, and originally to have come to this Convention from a diocese, that lived a long while under Episcopal supervision, an organized diocese flourishing under Episcopal supervision, without having a Bishop of its own, because it had not presbyters and parishes enough to elect a Bishop under the Constitution and Canons of this Church. There was no difficulty about it. It is a question merely of greater or less convenience; and I am very happy that the point has been submitted. It is a point of importance. That it might naturally be more convenient and desirable to them to be under the jurisdiction of a Missionary Bishop, I can understand; but my argument remains; if they desire, and if it is important to them as if they were a substantive part of this Church to have a representation in this House, then their proper remedy is to organize themselves as a diocese and take that representation; take it with the inconvenience that may be connected therewith of securing episcopal supervision according to other Canons, allowing dioceses to seek the supervision of Bishops of other dioceses, being themselves without Episcopal supervision. There are Canons enough for that purpose.

Now, sir, before taking my seat, I am ready and desirous to put the question, as far as I am concerned, honestly and fairly; and that requires me to say that the constitutional argument which was presented here yesterday on this subject does not approve itself to my mind, as having any weight whatever. I do not argue, then, at all that we have not the constitutional power and right in every point of view to pass this canon; and if it is thought that the interests of the Church in the missionary districts require it, I yield all objection. On constitutional grounds I have none, for the Constitution says nothing about such delegates. The Constitution declares what shall be the constitution of this General Convention; and that is pretty nearly all that is the subject-matter of the Constitution, as it ought to be—how the supreme government of this Church should be constituted. That is, in fact, our Constitution. Now, sir, delegates sitting here, with the right to speak, but no right to vote,

have nothing to do with the government of this Church. They do not legislate in this Church. It is not interfering, then, with the Constitution at all. The governing power remains where it was. The Constitution has nothing to do with the speaking power. We can allow anybody to come and speak here, but we could not allow other parties to come and vote here upon the legislation of the Church. It would not be valid legislation under the Constitution.

What settles the matter in my mind, beyond all peradventure, is, that that has been the established, unquestioned precedent in the legislation of these United States, from the earliest times under their Constitution. The Constitution of the United States declares how the Government shall be constituted, including a Senate and House of Representatives. They, with the President, constitute the Government. There is nothing said about delegates from Territories, if my memory serves me right, and the memory of others, whom I have taken the trouble to ask, though I have not had an opportunity to read the text of the Constitution since yesterday. The Constitution of the United States says not one syllable about the representation of Territories by delegates, to speak, but not to vote; and yet, from the first beginning of the legislation of this Government, such delegates have been allowed to sit in Congress, having a right to debate, but not the right to vote.

It seems to be settled, then, in the nature of things and by reason, and settled by the uniform action of the civil government of the country, that this would not be a violation of the Constitution. It must rest entirely upon the question of its expediency and necessity, and there I wish to place it and leave it, and then if the gentlemen of this Convention are inclined to vote at once upon it, I am not disposed to vote even in the negative against it, if it is thought necessary or desirable to have such a provision in our canons, when everything undoubtedly in it can be reached in one way or another, that I have already stated, and reached with perfect ease and facility.

I had one other consideration to present, which has entirely escaped my memory, and it will do nobody any harm to omit it.

The Rev. Dr. HARE, of Pennsylvania. As I cannot agree entirely with what has been said by my reverend colleague, I feel some hesitation in addressing the House. I do not like to come in conflict with the great dialectic ability of that distinguished gentleman, especially after the very kind reference which he made to me. I feel, however, a very lively interest in this matter, which prompted me, so soon as the resolution from the Committee on Canons came in, to move its adoption; and I ask now only for a few minutes to express the reasons which have weighed on my mind.

In the early days of Christianity, advices came to Jerusalem that the Gospel had been preached at Antioch and the brethren there determined with one accord to send unto them Barnabas. Barnabas went forth to Antioch as a Missionary from the Central Church at Jerusalem. After a short period he invoked the assistance of the new convert from Tarsus, and the two labored together for a considerable time with success in that remote city. Shortly after this, a want arose in the region where these two foreign Missionaries, so to speak, labored, and they came to the Church of Jerusalem to expound this want, and all the multitude gave heed unto Paul and Barnabas while they told what great things God had wrought among the Gentiles through them.

Is not the case in Dakota and other remote regions altogether parallel to this? From the central points in our country Missionaries have been sent forth. One, perhaps, has invoked the co-operation of another, as Barnabas invoked the co-operation of Paul. Wants, from time, to time arise in those distant regions, and they feel a disposition to send here, as it were, to the Church in Jerusalem, delegates who shall make known those wants. I think there can be no reason why we should not entertain those delegates, coming as they do, not to claim a right, not asking to vote, but simply to be allowed to be present and to enter into discussion.

If there were anything in the Constitution inconsistent with this, I should immediately yield it. I go for law and order. But I submit that, notwithstanding the distinguished ability and eloquence of the gentleman who spoke on this subject yesterday, he failed entirely to show that anything contrary to the Constitution would accrue from our passing the resolution offered by the Committee on Canons. He as much as admitted this when he said that the thing was rather extra-constitutional than unconstitutional. As to its being extra-constitutional, more than half of the things which we have done in this House for thirty years have been without any specification in the Constitution, and so far forth, have been extra-constitutional. For a great series of years it was customary, on the opening of this House, to move that members of the House of Bishops should be entitled to seats at the right hand of the Chair, and up to this day the custom has continued. The Rev. Dr. Berkeley, of Missouri, acted upon it this year when he introduced a resolution. The custom has continued of inviting clergymen not of the Convention to be present at its sittings. A few days ago we invited a foreigner, not only to be present at the sitting of the Convention, but to address it on Monday night last at a regular meeting of the Convention. So that the precedents of our body seem to be altogether in favor of allowing to these delegates such privileges as they respectfully ask.

I can conceive of no objection to the force of this argument, except that it is now proposed to do by standing resolution or Canon what hitherto has been done by occasional resolutions. Can there be any force in an objection of this kind? It is similar, if I mistake not, to this when we provide in the second of our Canons that,

"The Canons of this Church which respect candidates for Holy Orders, shall affect as well those coming from places in the United States in which the Constitution of this Church has not been acceded to, as those residing in States or Territories in which it has been adopted."

Here is a standing rule. It refers to places in the United States, or Territories where the Constitution has not been acceded to, and the rule now proposed as another Canon, refers to persons of exactly the same description. I take it, therefore, that there is nothing in our Constitution opposed to the Canon that comes to us offered by the Committee on Canons; that it agrees entirely with our precedents; that the case is parallel to that which I mentioned in the Acts of the Apostles, and that courtesy and Christian kindness to those brethren who labor in that (to the flesh) less desirable portion of the country require that we should pass this resolution.

Mr. WELSH, of Pennsylvania. Mr. President, I rise in behalf of Dakota. It has not been heard; and having a somewhat intimate connection with it, it will

give me pleasure to state what I hope will satisfy the clerical delegate from Pennsylvania, who opposed this proposition simply on the ground that there seemed to be no need for it. After frequent visits there and an intimate knowledge of it, I do believe that there is absolute need for this measure. The missionaries on the frontier are surrounded by influences which those of us in large cities know little of. They seem depressed, crushed down. We can dignify them by giving them a position here. We shall thereby strengthen their hands; we shall extend the interests of the Church; we shall benefit the Missionary Jurisdictions there.

But there is one other ground which is a very serious one with me. This Church has begun to realize that it has some responsibility touching the aboriginal inhabitants of this country. If those who came from the distant jurisdictions where the Indians are, are invited here, they can give us information of the most important character. These clergymen and laymen are surrounded by influences that tend to make them almost Indian exterminators. Their congregations are of that character. It is perfectly fearful to see their surroundings. Could we from each of the Missionary Jurisdictions bring here a clerical and a lay delegate to our General Convention, and let them go home again, I feel sure they could change the whole views and opinions that prevail there. Gentlemen who have not been in that country know but little of this; but it seems almost impossible to reach the Indians, unless we can send out men who are fully possessed with the belief that our Church means to sustain their missions.

I was delighted, this morning, on taking up the morning paper, to be made hopeful in regard to one of the very distant missionary jurisdictions where there is the worst of all the tribes of Indians we have ever known—the Apaches. The people in that neighborhood have set on them to exterminate them. They glory in murdering their women and children. Fortunately, a member of our Church, who happened to be a member of the Indian Commission, received a letter stating that Cochise, the principal chief of that tribe, if he could be approached by any human being whom he could believe, if he could have any guarantee that he would be protected, would come in. Papers were sent to me turning this matter into ridicule, and every one who attempted to sustain the Indians. Fortunately, this gentleman was not deterred. He got authority from the President of the United States, went out there, selected a reservation, and this morning's paper, through the telegraph, gives us notice that that chief and other violent chiefs, believing this man, are actually coming into the reservations, so that the war ceases.

I do feel that this is not only a right to the clergy who are now working on the frontier with a few noble laymen anxious to spread the Church, but I believe it will aid us in doing our duty to the red men. The gentleman who brought this news (Dr. Hoyt) has been on the frontier post constantly, with no one to sustain him and strengthen his hands. I have visited him time and again, and seen his work, and it would give me the utmost pleasure to take him by the hand as a member of this Convention.

Mr. BATTLE, of North Carolina. Mr. Presi-

dent, I am very much rejoiced at having the opportunity of stating to this Convention the ground upon which I have ventured to dissent from the majority report of the Committee on Canons. My objection is purely a constitutional one, and unless I shall succeed in convincing this Convention that there is a constitutional objection to this proposed canon, then I shall be rejoiced to find them voting for its adoption, for all the feelings of my heart are in favor of it, and the eloquent speeches that have been made by the gentlemen on the other side have only the effect on me of showing that there ought to be a constitutional amendment for the purpose of meeting this very case, for, as the Constitution now stands, I am decidedly of opinion that after full consideration that there is nothing here which authorizes us to take the course indicated in the proposition.

This Convention is constituted by this Constitution. That is admitted, I presume. There can be no doubt that without the efficacy of this Constitution, we have no right to sit here. Now, what is it declared in this Constitution shall compose the General Convention? Deputies from each diocese, not exceeding four clergymen and four laymen. Four clerical deputies and four lay deputies from each diocese, then constitute this Convention. I defy any member to show me a single clause here that authorizes us to say that we have a right to admit any other person to take part whatever in the business of this Convention.

After this declaration, that the Convention shall be composed of these deputies not exceeding four clerical and four lay from each diocese, certainly no one has a right to insist that we shall introduce here even the fractional part of a member; and I contend that if you introduce these gentlemen who are now seeking an introduction here and give them the power proposed to be given to them, you do introduce persons here who may have an influence upon our deliberations. You all recollect the famous declaration of a celebrated Scotchman, that just give him the power to make the songs of a nation and he did not care who made its laws. Among those who may be thus introduced here, there may be men of surpassing eloquence; they are to be heard upon any matter which pertains to their particular district; they may bring forward a memorial or a petition, and that will authorize them to speak upon it, and, though they cannot vote, by their eloquence they may possibly induce this House to take a sound and healthy action; but, on the contrary, they may—we cannot tell what may be the result—induce this House to do what it ought not to do. Is not that exercising an influence in this House? Is it not known to you all that there are in every legislative body throughout the land, both ecclesiastical and lay, men who have vast influence, so that everything they say is listened to, and they lead the minds of members one way or the other; it may be for good, or it may be for evil?

Now I ask you, if such a man is allowed to come

here and has this influence, is he not a part of this Convention? Gentlemen, say, "Oh, no; he is not a member; though he is allowed to have this vast influence, though he may induce you to do this or that; yet he is no part of this House;" and the reverend gentleman from Pennsylvania says that he has no objection on constitutional grounds and he puts it upon the analogy to the action of Congress. Sir, there is no fair analogy between the cases. Congress has, by an express power in the Constitution of the United States, the right to make all needful rules and regulations in regard to its Territories. That is an express power; and Congress, by another clause of that instrument, has the right to use implied powers. The right to use implied powers is not taken upon the general proposition that all bodies must have some implied powers, but there is a clause in the Constitution of the United States which says Congress shall have a right to use implied powers. Under this direct power, under this clear and positive expression of the Constitution of the United States, Congress has said that in carrying it out and making the needful rules and regulations for the government of its Territories, it has the right to admit a territorial delegate upon the floor and allow him to be heard, but not to vote. There the power, as is evident, is in Congress; but we have no such delegation here.

The Rev. Dr. GOODWIN, of Pennsylvania. Allow me ask a question?

Mr. BATTLE, of North Carolina. Certainly.

The Rev. Dr. GOODWIN, of Pennsylvania. It is where in our Constitution this Convention gets power to appoint Missionary Bishops to these jurisdictions.

Mr. BATTLE, of North Carolina. I will come to that presently, though it has nothing to do with this question. It may possibly influence the minds of some gentlemen, but it really has nothing to do here. The only question here is who shall compose this body? who shall form this Convention? and I say if you admit anybody here, whether you give him a right to vote or not, if you give him a right to speak, you make him at least a fractional part of this body. If you have a right to introduce two men, one clergyman and one layman, as there is nothing in the Constitution about it, as there is nothing restrictive of the introduction of these men, as there is upon the introduction of deputies, you may introduce two men from every territory, and our House would be filled with all these men with a right to speak. Is not that so? I defy anybody to deny it. If you have the power to admit one or two, you have the power to admit ten.

It has been inquired, what right have we to send forth Missionary Bishops? Why, sir, that comes from the right of the Church. It is well known to you that this Constitution was founded upon the existence of certain established facts. You all know very well that, prior to the Revolution, all the Churchmen in this country were under the jurisdiction of the Bishop of London. That was cut off

by our Revolution. We had parishes in the land. After awhile we had Bishops and dioceses formed; and as was said most eloquently yesterday by one of the Right rev. fathers who spoke from that rostrum, we are all Missionaries; the whole Church is a Missionary body; every Bishop is a Missionary, whether he is called a Missionary Bishop or whether he is a Bishop of a regular diocese. I fully accord with that sentiment. It is in the power of the Church—it has never given it up—to send out these Missionary Bishops, and take what action it pleases about them, and this Convention is merely used as an organ, the instrument. It has assumed the power; nobody has questioned it; but it assumed the power because there existed in the Church the right to send forth these Missionary Bishops; but there is no power in our Constitution granted to this Convention to admit anybody not a deputy of a diocese, or to make rules and regulations for the Territories, like the power conferred on Congress.

Gentlemen who take the other side say, "Oh, yes, but we will imply the power." This is implying power rather too far. You first have to imply that there is such a thing as this in the Constitution. That it is not there, you all admit. And then, after implying that which is not according to the fact, then you imply the right to do certain things. If I am correct in saying that if any man is admitted here with a right to influence the House by his eloquence, or by his high character, or in any other way—and once in, you cannot turn him out, unless he misbehaves himself—if he is admitted with a right to be heard, with this vast power of influencing this body one way or the other, he is, I do not care what you say, a part of this Convention; he exercises an influence in it which this Constitution does not give him.

The Rev. Dr. HUBBARD, of New Hampshire. With the consent of the gentleman on the floor, I wish to move a proposition which may stop debate. I believe the Church in any Territory in this country has a right to establish a diocese, and therefore send a deputation to this body, and hence the whole question that is under discussion is unnecessary. I therefore propose to this House the following resolution:

Resolved (as the sense of this House), That any action relative to the admission of any Territory to representation in the General Convention is unnecessary, inasmuch as the Constitution provides already for such representation.

The Rev. Dr. HARE, of Penn. I move the reference of that to the Committee on Canons. I should like to have that looked into.

Mr. BATTLE, of North Carolina. That goes a little too far. I simply gave the floor to the reverend gentleman from New Hampshire, for the purpose of submitting a proposition. His suggestion adds much to my argument; it is what I might have brought forward before taking my seat, but I thank the gentleman, as I might have forgotten it, for bringing forward the suggestion. The privilege these gentlemen now ask for of speaking in this House on any question which they may present, by means of a memorial or petition pertaining to their particular province or district, must be extended to every person who shall come here representing a Missionary Territory, so

that we shall have the House filled with these gentlemen, all having the right to speak.

It is so late that I will not trouble the House with illustrations. My argument is founded upon the fact that there is a Constitution which creates this body, and without the existence of which this body could not act at all, would not be here. The Constitution prescribes who, and who alone, shall compose this body; and this proposition now presented by the Committee on Canons, will introduce some other member, or fractional part of a member; at all events it will bring into this body an influence which is not admitted by our Constitution, and if I have been successful in showing that the analogy which has been claimed between the Constitution of the United States and our Constitution and this case does not exist, the argument is greatly strengthened.

Mr. CORNWALL, of Kentucky. Will the honorable deputy allow me to remind him of the time? I think we are ready to take the question now and settle this matter.

The Rev. Dr. HOWE, of Pennsylvania. I should like to say something on the question before it is settled.

The Rev. Dr. MEAD, of Connecticut. So should I.

The Rev. Dr. NORTON, of Virginia. I rise to move that, notwithstanding the rule requiring an adjournment at 3 o'clock, we continue in session to-day until the question is decided.

The PRESIDENT. Would it not be better to amend that motion by including in it a proposition that the vote shall be taken in half an hour or some shorter time?

The Rev. Dr. NORTON, of Virginia. I would include that in my motion but for the fact that the majority of this Committee have not yet been heard, which is a very unusual thing, and I would not like to limit them.

Mr. CORNWALL, of Kentucky. It would be inconvenient to extend the session to-day as a large number of members have an engagement to meet the Board of Missions at 5 o'clock.

Mr. BATTLE, of North Carolina. The question will have to come up to-morrow. Gentlemen on the other side have not been heard. By all means they ought to be heard.

The PRESIDENT. It is moved that the session of this day continue until the pending subject is disposed of.

The motion was not agreed to.

Several Deputies addressed the Chair.

Mr. BATTLE, of North Carolina. I only yielded the floor for a motion to continue the session, which the House has refused to do. I am now entitled to the floor to continue my remarks.

The PRESIDENT. The hour of adjournment fixed by the rules having arrived, this House stands adjourned until to-morrow at 10 o'clock.

TENTH DAY.

SATURDAY, October 14, 1871.

Morning Prayer was said by the Rev. P. B. Morgan, a deputy from the Diocese of Iowa, assisted by the Rev. J. N. Lee, a deputy from the Diocese of Kansas; and the service was concluded by the Rt. Rev. W. H. Odenheimer, D.D., Bishop of New Jersey.

The Journal of yesterday's proceedings was read and approved.

LEAVES OF ABSENCE.

On motion of the Rev. Dr. Perry, of Western New York, leave of absence was granted to Mr. Thomas E. Franklin, of Pennsylvania, until Tuesday next; to Mr. Lawrence C. Woodruff, of Western New York, for three days, and to Mr. G. Pomeroy Keese, of Albany, for the remainder of the session after to-day.

On motion of the Rev. Mr. Magrath, of Michigan, leave of absence was granted to Mr. Henry P. Baldwin and Mr. Henry A. Hayden, deputies from Michigan, who have been obliged to leave on account of the fires now raging in that State.

On motion of Mr. Battle, of North Carolina, leave of absence was granted after to-day to Mr. Samuel F. Patterson, of North Carolina.

The Rev. Dr. PERRY, of Western New York. I move that further applications of this kind be referred to the Committee on Elections.

The motion was agreed to.

Mr. JACKSON, of Maine. I regret to be obliged to ask to be excused from serving upon the Committee on Ritual Uniformity, and upon which committee the Chair did me the honor to appoint me yesterday. Pressing business obliges me to leave the Convention, and I ask to be excused from serving on that committee and also from further attendance on the sessions of this Convention.

Leave was granted.

The PRESIDENT. Reports from Committees are now in order.

USE OF THE BOOK OF COMMON PRAYER.

The Rev. Dr. HAIGHT, of New York. The Committee on Canons have several reports to present. The first to be presented this morning is the report of that committee, touching certain proposed changes in Canon 20, Title I., "On the use of the Book of Common Prayer," as the House will perceive, a very important subject. The Chairman of the Committee has delegated the Rev. Dr. Paddock, of Long Island, as the member to present the report of the Committee on that object. The alterations proposed by the Committee are very radical. What I mean is that they touch the whole structure of that Canon, and object of that Canon, and it is a subject which ought to demand the serious attention of every member of the House.

The Rev. Dr. Paddock, of Long Island, presented the following report:

The Committee on Canons, to whom was referred the resolution of the Rev. Dr. Beers, of Wisconsin, touching the propriety of amending Canon 20 of Title I., entitled "of the use of the Book of Common Prayer," and also a resolution of like purport offered by Mr. Welsh, of Pennsylvania, do respectfully report:

That they have carefully considered the above resolutions, and the whole subject involved, and herewith unanimously report the accompanying draft of a Canon, and recommend its adoption. The Canon proposed by the Committee contemplates, first, some omissions in the existing Canon "of the use of the Book of Common Prayer," namely, Canon 20 of Title I., which omissions are as follows: Erase the words, "before all sermons and lectures," and, also the word "other" before the phrase "occasions of public worship;" also all that follows the words, "General Convention of this Church," and after these same words, add as follows: "and this rule shall be

understood to prohibit all additions to and omissions from the prescribed order of said Book, except in the cases prescribed by Section 14 of Canon 13 of Title I.; *provided*, That on other occasions than Sundays, and the morning of those week days, for which a special service is ordered, and at all times, in mission stations and other places than parish churches, where the prescribed order of Morning or Evening Prayer cannot be used to edification, other services may be used, compiled only from the Book of Common Prayer, but no such deviation shall be permissible, except on emergencies, without the approbation of the Ecclesiastical Authority of the Diocese.

The Committee recommend the adoption of the following resolution:

Resolved (the House of Bishops concurring), That Canon 20 of Title I., entitled, "of the use of Common Prayer," be amended to read as follows:

"CANON 20.

"*Of the use of the Book of Common Prayer.*

"Every minister shall on all occasions of public worship use the Book of Common Prayer, as the same is or may be established by the authority of the General Convention of this Church; and this rule shall be understood to prohibit all additions to and omissions from the prescribed order of said Book, except in the cases prescribed by Section 14 of Canon 13, Title I.; *Provided*, That on other occasions than Sundays, and the mornings of those week days for which a special service is ordered, and at all times in mission stations and other places than parish churches, where the prescribed order of Morning or Evening Prayer cannot be used to edification, other services may be used, compiled only from the Book of Common Prayer; but no such deviation shall be permissible, except on emergencies, without the approbation of the Ecclesiastical Authority of the diocese.

"By order of the committee,

"WM. COOPER MEAD, D.D.,
"Chairman."

The report having been read—

The Rev. Dr. PADDOCK, of Long Island. I have been asked by the chairman of the Committee on Canons to state as briefly as possible the reasons which have influenced the committee in moving the adoption of the resolution just read. The two memorials brought before the committee unite in pointing out a declared inconsistency between Canon 20 of Title I., and that other canon referred to, Section 14 of Canon 13 of Title I., which gives the Bishop of any diocese authority to set forth prayers in other forms, which prayers shall be used in his diocese. The inconsistency is believed to exist as represented by the resolutions of the two deputies. The inconsistency is, therefore, provided for in this proposed new canon.

The other point to which the attention of the committee was especially called by the resolution of the deputy from Pennsylvania is that greater liberty is necessary in certain cases in the use of the Book of Common Prayer. The committee are unanimously of the opinion that there are cases in which there is a necessity for greater liberty. They have had cited before them such cases as these: the holding of services occasionally in missionary stations, in places where there are no books of Common Prayer and none to be had; such cases for instance as the holding of services in the garrets or cellars of poor people where a congregation is extemporaneously gathered,

and where there are no provisions whatsoever for the use of the Book of Common Prayer.

Another class of cases is represented by the felt wants of many of the clergy for an abbreviated form of service that may be used during the Lenten season, where clergymen are conscious that they would be enabled to gather a very goodly company of men, for instance, on their way to or from business, for a brief season, and are utterly unable to collect and retain such a congregation for the full service prescribed in the Prayer Book. Evening lectures have also been mentioned as occasions where, in the judgment of very many, it is extremely desirable to be allowed to expound portions of God's Word at considerable length before a congregation, where perhaps the object is frustrated, in the judgment of those who so think, by the necessary introduction of the entire foregoing service.

The only two remedies that are understood by the committee to be possible for these felt difficulties are, first, that lax interpretation of the existing Canon which is believed to be the only resource of many who find themselves not restrained at all from declaring that the Canon being impracticable in a vast number of cases, is therefore to be transgressed without any scruple of conscience. The other proposed method of relief is the change of the Canon so that those who cannot adopt the former method of relief may proceed without scruple of conscience to use an abbreviated service. This latter method is the method recommended by the Committee on Canons, they not daring to recommend before this House that we shall continue in the acknowledged breach of a Canon because forsooth the Canon is supposed to be impracticable.

The change proposed, it will be observed, as I have already said, corrects the palpable and acknowledged inconsistency to which one of the resolutions referred to the Committee on Canons alludes.

As to the relief given, it provides that in emergencies a clergyman may use whatever service, compiled only from the Book of Common Prayer, he may judge it expedient to use; that on all other occasions than emergencies, namely, on week-day services, as during the Lenten season, or on mission stations, other than parish churches, where it may be presumed (as in the West or working among the negroes of the South), to be impossible on account of incongruities of time or place, to use the full service, an abbreviated form may be used, compiled in like manner from the Book of Common Prayer; and in all cases except emergencies the safeguard is provided that such proposed abbreviations of the service must meet the approbation of the Ecclesiastical Authority.

The checks provided are therefore believed to be ample; first, in the fact that all services used are to be found within the pages of the Book of Common Prayer; secondly, that in all parishes, and even in mission stations where there are parish churches, the services specially appointed for the Lord's Day and for the mornings of holy days or saints' days, or the greater festivals, may not be mutilated; but on other week days such permission is granted; thirdly, as a check that all services, except those on emergencies, shall meet the approbation of the Ecclesiastical Authority of the diocese.

The unanimous adoption of this motion by the Committee on Canons, after very full deliberation, it is hoped, will have weight with this House, and for the reasons already suggested.

Mr. WELSH, of Pennsylvania. I desire to ask the clerical deputy a single question: whether from

the investigation of the Committee on Canons, this is not making the law simply to conform to the present practice so far as they know it?

The Rev. Dr. PADDOCK, of Long Island. I will answer the question precisely as the gentleman from Pennsylvania has asked it. The proposed Canon has no especial reference to meeting existing practices which are probably lawless, except so far as existing practices may be considered as interpreting the supposed wants of the Church. It is not a Canon to cover anything whatsoever in the past, but to provide for what are believed by the Committee on Canons to be the felt wants of this Church in order to enable it to do its work as a Church of God in this nation.

Mr. WELSH, of Pennsylvania. That was the simple question I desired answered, whether the committee did not ascertain, in their investigations, that there was an absolute need which they have endeavored to supply.

The Rev. Dr. PADDOCK, of Long Island. We unanimously believed the necessity to exist.

The Rev. Dr. HAIGHT, of New York. I move that the report of the committee be printed for the use of the House, and made the order of the day for Wednesday next at 12 o'clock.

The Rev. Dr. GOODWIN, of Pennsylvania. I desire to propose an amendment to go with that report if it is thought best.

The Rev. Dr. HAIGHT, of New York. I should suppose the better way would be to wait until Wednesday, when the matter will come up and the committee will have a further opportunity of defending the canon.

The Rev. Dr. GOODWIN, of Pennsylvania. Will you allow me to read the proposed amendment for information?

The Rev. Dr. HAIGHT, of New York. Certainly; only we have the vanity to suppose that our reasons may possibly obviate the necessity of an amendment even from so distinguished a source as my friend from Pennsylvania.

The Rev. Dr. GOODWIN, of Pennsylvania. I claim nothing on that ground. The amendment I would propose is, to add:

And provided also, That it shall be understood that this canon does not apply in terms to the case of congregations worshipping in a foreign language.

Hitherto we have had no Book of Common Prayer set forth and authorized by this Convention in other languages; for example, in the German language; and if this is to apply in terms to such congregations they cannot worship at all in our Church. It seems to me to be necessary that we should make this provision while we are about it, and I shall propose this amendment.

The Rev. Dr. HAIGHT, of New York. I will include the amendment in my motion, and move that the report of the Committee on Canons, together with the amendment just proposed, be printed for the use of this House, and that the whole subject be made the order of the day for Wednesday at 12 o'clock.

The Rev. Dr. ADAMS, of Wisconsin. I wish to make a remark that may save time in the future. I suggest to the Committee on Canons that they withdraw the words, "except in case of emergency." If those words remain, it will leave to anybody who wishes to mangle the Prayer Book the opportunity to do it according to his own sweet will, because everything will be an "emergency." If I think it an emergency and the Bishop thinks it is not, who shall

decide what is an "emergency?" It is just as bad as if you were to introduce into one of these canons the word "conscience." [Laughter.] If you introduce these words, "except in case of emergency," it will leave it open to anybody, who is willing to have a fight with the Bishop of his own diocese on this subject, to say, "I did so because the canon permitted me; I thought it was a case of emergency." The Bishop may reply, "I do not think so." "But, Bishop, you were not there present and could not judge of the necessity, and I was there." Now, I think, if the Committee on Canons will accept my suggestion, and withdraw the words "in case of emergency," it will save us a great deal of time in debate, and a great deal of difficulty in the future.

Besides, we know that this case of emergency is provided for by the common law. "Necessity has no law;" and in case anything is absolutely necessary, you and I and every one else knows that necessity justifies us in doing a great many things that we cannot do canonically. I therefore suggest to the committee, for the sake of having this resolution passed, and for the sake of saving time, that those exceptionable words "except in case of emergency" be withdrawn, and this thing be left under the control of the Bishop.

The Rev. Dr. HAIGHT, of New York. I beg to say that time will only be wasted by accepting that suggestion. The Committee on Canons consists, I believe, of thirteen members. Now, to go around and collect the suffrages of that committee, as to whether they will accept that amendment or not, will take a great deal of time. The proper way will be for my friend to move that amendment on Wednesday next, when this subject will be the order of the day. I hope he will not press it now, because it will only consume time to no sort of purpose.

I will also remark, that the difficulty he suggests, about the phrase "except in case of emergency" and the difference of opinion that may arise between a Bishop and a presbyter, would also arise in the use of the word "necessity." What is "necessity?" The very same question comes up on that. We can discuss that on Wednesday.

The Rev. Dr. ADAMS, of Wisconsin. I was not referring to the word "necessity" at all.

The Rev. Dr. DEKOVEN, of Wisconsin. I wish to make one suggestion in regard to the amendment of the deputy from Pennsylvania. I do not suppose the Reverend delegate from Pennsylvania intended we should have permission to use services in the Latin tongue. Perhaps, therefore, he should make an exception against that language.

The Rev. Dr. GOODWIN, of Pennsylvania. The language of the amendment is not "services in a foreign language," but "congregations worshipping in a foreign language." We have such congregations.

The Rev. Dr. PADDOCK, of Long Island. Is the question on the amendment of the deputy from Pennsylvania?

The Rev. Dr. HAIGHT, of New York. No, sir; the question is on my motion to print the report of the committee, together with the amendment of the gentleman from Pennsylvania, for the use of the House, and to make the whole subject the order of the day for Wednesday next, at 12 o'clock.

The motion was agreed to.

The Rev. Dr. HAIGHT, of New York. The other reports of the Committee on Canons are not in form yet. We have several that will be ready in the course of the morning.

EXPENSES OF PRESIDING BISHOP AND THE SECRETARIES.

The Rev. Dr. CRANE, of Mississippi. The Standing Committee on Expenses, to whom was referred a resolution to consider and report upon the expediency of making provision for the payment of the expenses incurred by the Presiding Bishop of the House of Bishops, in the discharge of duties incident to his office, respectfully report, that after conferring with those in whom this House may confide, they have unanimously agreed to report for the favorable action of this House, the following resolutions:

Resolved, That the Treasurer of this Convention be instructed to reserve \$500, to be subject to the call of the Presiding Bishop of the House of Bishops, for the payment of such expenses as may be incurred by him in the discharge of the duties incident to his office during the next three years.

Resolved, That the Treasurer be instructed to pay to the Presiding Bishop of the House of Bishops \$500, to reimburse him for expenses incurred by him since his entrance upon the duties of Presiding Bishop.

The committee further recommend the adoption of the following resolutions:

Resolved, That the Treasurer of the Convention be instructed to pay the Secretary of the House of Clerical and Lay Deputies the sum of \$750, and to the Secretary of the House of Bishops the sum of \$250.

Resolved, That in case the assessment of \$3, for each clergyman, as provided by canon for the payment of the incidental expenses of the General Convention, shall be found insufficient for that purpose, then the Secretary of this House and the Treasurer, jointly, are hereby authorized and directed to make such additional assessment on the dioceses respectively, and the Treasurer to collect the same, as may be found necessary for the payment of such expenses.

The resolutions were adopted, *seriatim*.

BOARD OF MISSIONS.

The Rev. Dr. LEEDS, of Maryland. The Committee on the Domestic and Foreign Missionary Society beg leave to report, not on the whole subject in their charge, but on a matter entrusted to them on Thursday. I will read the report:

WHEREAS, The House of Clerical and Lay Deputies adopted, on Thursday, October 11th, the following resolution:

Resolved, That the Committee on the Domestic and Foreign Missionary Society be instructed to inquire into the expediency of giving to each rector of this Church *ex officio* a seat in the Board of Missions, limiting each diocese to one vote, and to report by Canon or otherwise."

It was, after due consideration by said committee, unanimously

Resolved, That the chairman of the committee report to the House of Clerical and Lay Deputies that, in their opinion, the proposed change is inexpedient.

I will only add in explanation of the action of the committee, that it was deemed inexpedient to make each rector of the Church *ex officio* a member of the Board, inasmuch as the multiplication of members lessens the sense of individual responsibility, and as the Board assembles from time to time with a view to intelligent action touching the great subject that comes before it, it is important

that those who feel deeply interested in the subject should be present, and it should not be left to the Church at large to provide a quorum. And further, it may be stated that inasmuch as the Board is now made up of those who profess and exhibit an interest in the missionary work of the Church, there is really no ground of complaint of the exclusion of any one from membership in the Board.

Touching the second point, of limiting each diocese to one vote, as the Board is no longer made up of an equal number of representatives from each diocese, such a change in our present course of procedure would be wholly unimportant and irrelevant.

The committee beg leave to submit this report, and ask to be discharged from the further consideration of the subject.

Mr. SEYMOUR, of Connecticut. I move that the report be accepted.

The PRESIDENT, *pro tem* (the Rev. Dr. Haight, of New York, in the chair). The report is accepted as a matter of course. Unless some resolution is presented by a member of the House, growing out of the report, the matter is at an end, and the Chair will continue the call of committees, for reports, in their order.

PASTOR OF COLLEGE PUPILS.

The Rev. Dr. JACKSON, of Connecticut. I have a report to submit from the Committee on Christian Education. A project of a canon was introduced the other day by the Rev. Dr. Beardsley, of Connecticut, the object of which was to place the students or pupils in academies, colleges, and theological seminaries, under the spiritual charge of the President or the chaplain, in case services according to the rite and usage of our Church were maintained on Sundays. The Joint Committee have had this matter under consideration, and it seemed to them inexpedient to enact a separate canon on this subject. The object, however, to be attained, seemed to the members of this committee very important. The members of the committee were very largely immediately concerned in the work of education, and they agreed that some arrangement ought to be made by which the spiritual care of such students or pupils should be insured under the chaplain of the institution; but instead of a separate canon, it seemed to them better that there should be added to clause 1 of Section 6 of Canon 12, Title I., the following paragraph:

"But whenever in any duly incorporated Academy, College, or Theological Seminary there shall be a chapel consecrated or dedicated by the Bishop in which public worship is held according to the rite and order of the Church, the students or pupils of said institution being members of the Church or allowed by their parents or guardians to worship in such chapel, shall be considered as under the pastoral care of that officer, whether President or Chaplain, who is charged with the spiritual oversight of the institution, and shall form his cure."

The Committee then bring in this resolution:
Resolved, That it be referred to the Committee on Canons to inquire whether it be not expedient to add the foregoing paragraph to clause No. 1 of Section 6, Canon 12, Title 1.

I do not know that it is requisite to add any remarks on the subject.

Mr. McCRADY, of South Carolina. I rise to ask why refer it to the Committee on Canons? Cannot we adopt that Canon now as well as after their report? It is rather making them a Committee on engrossed acts. I think we are just as ready to determine that question at the present time as we shall be after its reference to the Committee on Canons.

The PRESIDENT, *pro tem*. The question is on the reference to the Committee on Canons.

The motion to refer was agreed to.

TRUSTEES OF MISSIONARY BISHOPS' FUND.

The Rev. Dr. ABERCROMBIE, of New Jersey. I rise to make a partial report from the Committee on the State of the Church.

In conformity with Section 1 of Canon 3, Title III., "of the Trustees of the Missionary Bishops' Fund," which provides that "it shall be the duty of the General Convention, at each triennial session, on the nomination of the Standing Committee on the State of the Church, to appoint five laymen of this Church to constitute a Board of Trustees of the Missionary Bishops' Fund,"—the Standing Committee on the State of the Church nominate the following five laymen of this Church to constitute the Board of Trustees of the Missionary Bishops' Fund: Mr. Louis N. Whittle, of Georgia; Mr. Cambridge Livingston, of New York; Mr. William H. Battle, of North Carolina; Mr. Henry Meigs of New Jersey, and Mr. John B. Stebbins, of Massachusetts.

The Rev. Dr. BABCOCK, of Massachusetts. I move that the nominations be confirmed.

Mr. WELSH, of Pennsylvania. If the gentlemen are scattered all over the country, how can they act together? My impression is that under a recent decision each Trustee is compelled to sign. I think there will be a practical difficulty if there is anything to be held in trust; I don't know that there is.

The PRESIDENT, *pro tem*. I should like to know if any money has ever been given to that fund, or if there is any there. [Laughter.] I never heard of any.

The Rev. Mr. FARRINGTON, of New Jersey. I would also call attention to the fact that Mr. Cyrus Curtiss, and Mr. Samuel H. Huntington, were Trustees of this Fund as reported in the Journal three years ago. I presume they are still Trustees. I observe these two names are not renominated. I merely wish to call attention to that fact.

The Rev. Dr. BURGESS, of Massachusetts. We wish to relieve them of the burden.

The Rev. Dr. AMBERCROMBIE. We thought fresh Trustees would create fresh interest.

The PRESIDENT, *pro tem*. They are Trustees

to hold, not to create interest. If there were any funds, they might draw interest. [Laughter.]

The nominations were approved.

CHURCH IN PARIS.

The PRESIDENT appointed Rev. Dr. Schenck, of Long Island, Rev. Dr. Sansom of Mississippi, and Mr. Ruggles, of New York, as the committee to consider the report of the rector of the American Church in Paris.

EPISCOPAL SUPERVISION.

The Rev. Dr. A. H. Vinton, of Massachusetts, presented the following report:

The Committee on Canons, to whom was referred a memorial from the Diocese of Texas, and a memorial from the Diocese of California, and who were also directed to consider certain questions relating to the relief of dioceses too large for the supervision of a single Bishop, respectfully report:

That they have considered the subjects referred to them, and recommend the passage of the following enactment:

Clause 2 of Section 15 of Canon 13 of Title I. is hereby amended so as to read as follows:

"A diocese without a Bishop, or of which the Bishop is for the time under a disability by reason of a judicial sentence, or any part of a diocese in which the Bishop of such diocese, by reason of its extent, or other physical impediment, cannot in person duly exercise the functions of his office, may, by the act of the Convention of such diocese, and with the consent in the latter case of the Bishop thereof, be placed under the full Episcopal charge and authority of a Bishop of another diocese or of a Missionary Bishop, who shall thereupon be authorized to perform within such diocese or such part of a diocese, all the duties and offices of the Bishop thereof, until such vacancy has been supplied or said disqualification has been removed, or until the act of such Convention has been revoked, and in the latter case until the consent of the Bishop of such diocese has been also withdrawn. *Provided*, that in such last named case the Bishop or Missionary Bishop shall exercise such jurisdiction within the part of the diocese placed under his Episcopal charge as the act of the Diocesan Convention may prescribe."

The report having been read—

The Rev. Dr. VINTON, of Massachusetts. It must appear to the Convention at first blush that this is a very intricate and complicated measure. I will endeavor to give the Convention, as briefly as I can, an exposition of the history as the case came before the committee. At first view, they found in the Constitution an article which seemed to prohibit all action on the subject—"That no new diocese shall be formed or erected within the limits of any other diocese, nor shall any diocese be formed by a junction of two or more dioceses," etc. If you read the article, you will see at once that it seems to put a bar in the way of initiating the subject even.

The Rev. Dr. DALZELL, of Louisiana. May I ask the reverend gentleman to read the latter part of that article?

The Rev. Dr. VINTON, of Massachusetts. Where shall I begin?

The PRESIDENT *pro tem* (the Rev. Dr. Haight, of New York). I am very sorry to interrupt this matter, but the hour of twelve has arrived, and the order of the day must be called. The order of the day is the consideration of the report of the Committee on the Hymnal.

The Rev. Dr. LEWIN, of Maryland. I suggest that the report of the Committee on Canons just read be printed.

The PRESIDENT, *pro tem*. The Chair will entertain that motion, if it does not lead to debate.

The motion to print was agreed to.

THE HYMNAL.

The PRESIDENT, *pro tem*. The report of the Committee on the Hymnal is now before the House.

The Rev. Dr. HOWE, of Pennsylvania. I move a concurrence, on the part of this House, in the resolutions sent down to us from the House of Bishops yesterday, touching the Hymnal, and I will read the first of those resolutions:

Resolved (the House of Clerical and Lay Deputies concurring), That the Hymnal reported by the Joint Committee of the General Convention be authorized for use in this Church, and that no other hymns be allowed in the public worship of this Church, except such as are now ordinarily bound up with the Book of Common Prayer.

I move the adoption of that resolution. The resolution consists of two parts, the one being the authorization of this book, the other the interdiction of all other books except the Psalmody and Hymnody as now bound up in our Prayer Book. The question of the adoption of this book must depend upon how far it meets the approbation of this House. It is not to be supposed that every man's wish in regard to every hymn is perfectly fulfilled in this book. Some, we doubt not, miss certain hymns that are in the Prayer Book, and would wish that they were restored. Some have within their knowledge other hymns that they wish might be introduced. Suggestions in regard to these are asked in a subsequent resolution. The thing is open to not very general, but moderate emendation.

I met a deputy of this House shortly after the report was made by me the other day, who began to make a suggestion respecting some hymns, and then said to me in conclusion—and I thought it a very sensible remark, and I commend it to the consideration of other members—"Well, if a man misses about twenty-five hymns that he would like to have had, and sees, perhaps, twenty-five that he could have dispensed with, perhaps he has got as good a Hymnal as he had any right to expect." [Laughter.]

The Rev. Dr. SANSOM, of Mississippi. I rise to ask a question in relation to the hymns that are

ordinarily bound up in the Prayer Book. In many Prayer Books there are bound up what are called "the additional hymns." Does this resolution include the additional hymns?

The Rev. Dr. HOWE, of Pennsylvania. I think it does. Forty-four of the additional hymns, however, are in the new book, there being sixty in the whole body of "additional hymns."

The Rev. Dr. LEWIN, of Maryland. I offer the following resolution as an amendment:

That the consideration of the first five resolutions of the message No. 21 be postponed until we have considered the sixth resolution.

The PRESIDENT, *pro tem*. That is not in order, because those resolutions are not before the House now. The question is on the adoption of resolution moved by the chairman.

The Rev. Dr. LEWIN, of Maryland. Then I move that it be divided, and the first portion adopting the Hymnal, which I heartily approve of, be passed, and that the prohibitory portion be postponed.

The PRESIDENT, *pro tem*. The gentleman from Maryland asks a division of the resolution so that the question may be taken on the first part.

Mr. WHITTLE, of Georgia. From my understanding of the message sent down from the House of Bishops, this question should not be acted on. I mean the question of the exclusion of the use of any other hymns than those mentioned, until after Tuesday next, because, if I understand that message, time was given until Tuesday to gentlemen to make any other suggestions to the committee. I do not know what the object of that action of the House of Bishops was, but I presume it must have been that when those hymns were sent into this committee, if the committee should adopt any of the hymns thus suggested, they too might be embraced in the Hymnal to be adopted by this Convention. If I am right in that supposition, I think it better that the whole matter should be postponed until after next Tuesday, and until after the committee shall report whether they adopt or not any of the hymns that may be suggested in the meantime.

The Rev. Dr. HOWE, of Pennsylvania. I will say that the matter to which the gentleman has referred is in the series of resolutions which came down from the House of Bishops, and that by adopting this first resolution we shall no more shut ourselves out from the emendation of the book than the House of Bishops have shut themselves out by adopting and sending down to us this series of resolutions.

Mr. WHITTLE, of Georgia. That is entirely satisfactory to me.

The Rev. Dr. DEKOVEN, of Wisconsin. I wish to say a word in regard to the propriety of dividing this resolution. I suppose all of us are prepared to adopt the Hymnal put forth by the committee, as being in every respect an admirable Hymnal, though I suppose there are in it some hymns which perhaps individuals in the House

would not have desired, and I have no doubt there are a multitude of hymns left out which very many would desire to have put in. But it is an entirely different question whether we shall prohibit all other hymns. We may adopt this Hymnal, and use it for the next three years, and give it a fair trial, but to prohibit every other hymn besides those in this Hymnal, is certainly a very evil thing for us to do.

The PRESIDENT, *pro tem.* I beg leave to suggest to my friend that, as the question is to be taken on the first part of this resolution, his remarks are hardly pertinent, because they apply to the second part. I do not know whether that part of the resolution is now before the House; but I rather imagine not.

The Rev. Dr. DEKOVEN, of Wisconsin. I thought we were speaking of the desirability of dividing the question.

The PRESIDENT, *pro tem.* A division of the resolution has been asked for, and if there is no objection, I will take the question whether it shall be divided.

Several DEPUTIES. The right to a division is given by the rules.

The PRESIDENT, *pro tem.* The right to call for a division being given, the question is necessarily divided; and the only matter now before the House is the adoption of the first part of the resolution, "that the Hymnal reported by the Joint Committee of this General Convention be authorized for use in this Church."

Mr. DEROSSET, of North Carolina. I wish to inquire whether this is not the proper time to call attention to any errors in this Hymnal.

The Rev. Dr. HOWE, of Pennsylvania. If there are errors that would be condemnatory of the book so that the House on having those errors pointed out would be likely to vote against its adoption, then I submit it would be pertinent at this time to point them out. But if they are merely errors that are susceptible of emendation, it would seem to me that they would come under that other and subsequent resolution which contemplates emendation.

Mr. DEROSSET, of North Carolina. I know there are errors in the book.

The PRESIDENT, *pro tem.* I think the point taken by the gentleman from Pennsylvania is correct, that if any error can be pointed out which is condemnatory of the book, it is proper now to state it.

Mr. DEROSSET, of North Carolina. If there is a resolution afterward which provides for corrections, I can withhold what I have to say until that is reached.

Mr. MEADS, of Albany. I rise simply to inquire whether such an alteration for instance as the restoration of the word "conjubilant" instead of the present word "jubilant," would be shut out by the adoption of this resolution?

The PRESIDENT, *pro tem.* It would not.

The Rev. Dr. MASON, of North Carolina. There is one line in our Hymn which I never can possibly tolerate. I have endeavored at repeated General Conventions to have the line removed. In this Hymnal it has been somewhat altered, but

it is very far from being effectually altered. The same difficulty still exists, though the words are altered in some degree. I refer to the third verse of the 54th hymn, beginning

"By Thy conflict with despair."

I never can for one moment believe in the least possible degree that the shadow of despair ever passed over the soul of our blessed Redeemer. Despair is really the destitution of hope; and the destitution of hope can only spring from one of two causes: either the consciousness of having utterly and entirely deserved damnation by the sin against the Holy Ghost, as our Saviour has declared, or else the spirits of the damned hereafter who are conscious of having deserved the punishment inflicted upon them.

The PRESIDENT, *pro tem.* I suggest to my friend that that is an error, if it be an error, capable of amendment, and he can go before the committee with it. It does not pertain to this question as to the adoption of the Hymnal as a whole.

The Rev. Dr. ANDREWS, of Virginia. I heartily concur in the hope that that will be amended.

The Rev. Dr. MASON, of North Carolina. It is intolerable that it should remain. It has never been before any General Council; and I feel persuaded in my very soul that if this was put before a General Council, it would be condemned with greater detestation than even the Monotholite heresy itself. It is impossible that the Redeemer could ever have been destitute of hope, that he could ever have felt the anguish of despair. Why was not this altered? I repeat again that despair is the destitution of hope, and that this can only spring from one of two causes, either from the consciousness of deserving damnation, or from our distrust in the promises of Almighty God. Now I ask any one of those here present, Christian men, godly men, if it is possible for one moment to suppose that our blessed Redeemer could have had any shadow of despair passing over His soul?

The PRESIDENT, *pro tem.* I am sorry to interrupt the gentleman from North Carolina, but I really think, considering that to be an error, that it is one which can be amended by the committee, and which comes within the list already referred to; so that his remarks are not in order.

The Rev. Dr. MASON, of North Carolina. Will it be amended? That is what I want to know.

The PRESIDENT, *pro tem.* You can propose it to the committee, and with your cogent and eloquent arguments, I have no doubt you will have great influence with the committee. I understand there will be a supplemental report which will come before the House.

The Rev. Dr. HOWE, of Pennsylvania. A supplemental report is referred to in the resolutions, two of which I will read:

Resolved, That suggestions as to the introduction of hymns into the Hymnal, or the omission of hymns from it, may be submitted to the committee until Tuesday, October 17, 1871, at 3 o'clock, and that the committee be requested to report their judgment thereon before the adjournment of this Convention.

Resolved, That if the said supplementary report shall be adopted by the two Houses of the General Convention, the committee shall be thereby instructed to amend the Hymnal accordingly.

Therefore, this will come under these resolutions.

Mr. McCRADY, of South Carolina. I have no desire to partake in any discussion of this question, but I wish to point out to you, Mr. President, the difficulties under which gentlemen here labor. The gentleman who is Chairman of this committee refers to what resolutions he pleases; we have a string of resolutions which are the order of the day; but when other gentlemen want to refer to those resolutions, they are not allowed to do it. When it was proposed awhile ago that this should be laid aside until another was taken up, it was ruled out of order.

The PRESIDENT, *pro tem*. That was another series of resolutions, appended to a message from the House of Bishops.

Mr. McCRADY, of South Carolina. Then let us know what this series contains; let us know what is before us; and then, if we decide to take the question resolution by resolution, so be it; but if not, let us have the whole for both sides as well as for one.

The Rev. Dr. ADAMS, of Wisconsin. I move an amendment. I understood that the first resolution was brought up, that then it was divided, and that the question now before us is this:

"That the Hymnal reported by the Joint Committee of the General Convention be authorized for use in this Church."

The PRESIDENT, *pro tem*. You are right, sir, that is the question.

The Rev. Dr. ADAMS, of Wisconsin. My amendment is that the words "provisionally until the next General Convention," be added after the word "Church" in the fourth line. I believe this Convention, understanding that the business of the Church is to be deliberate in all actions whatsoever, will accept of this amendment, because in the report that came to us from the committee the declaration was that this Hymnal should go over until the next General Convention; that is to say, that the Church should have the chance and opportunity on the part of all her clergy and of all her congregations soberly, quietly, and in the fear of God, of examining the whole state and condition and tone and temper of the Hymnal which is to rule the American Church. For that purpose, I have moved this amendment, because I think we ought to have this opportunity, because I think the addition of these words will be no impediment whatever to the progress of this Hymnal through the Church, and, to speak in plain Western English, "I don't want to go it blind." I want to have the chance and opportunity, after this Hymnal has been adopted and authorized, of comparing it in my study with other Hymnals, and of seeing whether we have omitted good hymns, which it is desirable to use and have introduced others which in their tone are hostile to the Church. I do not say that that is the case; but this Hymnal was put in my hands two days ago; it contains 496 hymns; I went to see my friend Bishop Whittingham, and

in his study I saw a collection of some three or four thousand hymn books,—17,000 hymns.

The Rev. Dr. ANDREWS, of Virginia. I have in my library 25,000.

The Rev. Dr. ADAMS, of Wisconsin. This is essentially, and must be, a collection. It is a collection under the authority of this General Convention. It is a collection carried out to its conclusion by men whom I respect: but at the same time we know with regard to Hymnody that hymns as they were written have been changed in the most extravagant and fantastical style, so much so that I can bring forward hymns written by good men, pious and holy men of good positions, which are so changed as to express completely the contrary of what those men intended. I have seen, myself, alterations of the worst character.

I do not now ask that we should not pass these resolutions, but I say that they should not be passed finally and completely. I say that our clergy, our laity, our congregations, and our Bishops, should be given the opportunity in the study, in the congregation, and elsewhere, to compare these hymns with the originals, to compare them with the tone of the Church in every way, to examine and give a deliberate judgment upon them, so that when the next General Convention comes up, our clergy, our laity, and our Bishops, may come forward and say, "These hymns we have examined; we have heard them; we understand their tone and feeling; we are willing to pass them, not blindly, but understandingly, deliberately, and in the fear of God."

I believe that the members of this General Convention who are here assembled in this House of Clerical and Lay Deputies, will see the eminent reasonableness of the amendment that I propose. It is pre-eminently in accordance with the tone and temper, and feeling of this House, and it is justice before God, because I say that hymns have been sung, and I have known them sung, even in congregations of this Church, which never ought to be sung in the Worship of Almighty God.

I have spoken of the matter plainly and distinctly, and I think that the members of this House will be willing to concede the adoption of my amendment, seeing that it does not impede the progress of this Hymnal in any way.

The Rev. Dr. GOODWIN, of Pennsylvania. I second the amendment of the gentleman from Wisconsin, and I think it is in entire harmony with the spirit and intent of the original resolution; and were it not for that understanding I should hold that, with this question now before us, we have a full right to discuss every hymn in the collection. If we are called upon to approve a Hymnal, the report of a committee suggesting that we should make our objections in writing, and in this way and that, cannot control the deliberations of this House. We cannot be called upon here to adopt a Hymnal with our mouths shut, not permitted to suggest any objections to that Hymnal, to cite any faults in it, but simply to wait and give them in writing by and by.

I say that question being before us simply as it is now, is open to the full and free discussion of this House; and every member has a right, when

he can get the floor, to make any and every objection to any and every hymn that is contained in it, and the suggestion that there may be more hymns added by and by, or hymns subtracted by and by, does not touch the text of these hymns at all.

Now, sir, I would not in any event stand up here to make any criticism upon a matter of taste. There are a vast many of lines here that are not to my taste; but that is a thing I will not talk about. The Committee have told us that they have kept within the doctrines of this Church, and I think anything that on the face of it looks as if it were contrary to the doctrines of this Church, we ought seriously to take into consideration, even in such a matter as this. The suggestion that has been presented to us by the rev. deputy from North Carolina, I should regard as extremely important, more important than it really is now, were it not that that hymn even in a worse form than is now provided, has already been allowed by this Church, and has for many years been sung in this Church in a worse form than that; and really it is not an objection to this Committee, and their report, they have improved at least in some degree upon what was a difficulty before. I would further suggest before passing from that, that if our Lord could not have had a conflict with despair, how could he have had a conflict with Satan himself?

It is not so clear to me that this thing is so horrible; but I leave that with the Committee. I have to call attention—and I will not take time, except simply as a sample—to the 206th hymn of the Hymnal, where we read:

“Vine of heaven, Thy blood supplies
This blest cup of sacrifice.”

The “bread of heaven” addressed there, is the Lord himself. Let us worship and adore Him everywhere, on God’s footstool; but it is a very different thing when I proceed to address Him as the “Vine of heaven,” whose “Blood supplies this blest cup of sacrifice.” Who has told us that it is a “cup of sacrifice;” and is it His blood that is in this “cup of Sacrifice?” Poetically, it may be very well; rhetorically, it may be very well; but when we come to doctrine, let us be careful. I am not intending to enlarge upon this point. I call attention to such things, and I think we should have a right thoroughly to discuss this Hymnal; but now I refrain from going one step further, because if this amendment prevail, I think it is better to leave all these matters to be considered in the meantime; and after the thorough consideration of three years, and all the criticisms that can be brought from all quarters of the Church, then we shall be better ready to settle the whole question.

The Rev. Dr. MASON, of North Carolina. May I be allowed to make one explanation? The gentleman from Pennsylvania has inquired how it was possible that our Saviour could have had no conflict with despair when he was tempted by Satan. I will answer him by an analogical case. Suppose any one was to come to me with the sum of a million of dollars to tempt me to murder my wife, would I entertain that thought for an instant?

Certainly not. God of heaven forbid that I should. By the grace of the Holy Spirit, I think I should repel it at the instant. That was the case with the Blessed Redeemer.

The Rev. Dr. GOODWIN, of Pennsylvania. You could not be tempted?

The Rev. Dr. MASON, of North Carolina. No.

The Rev. Dr. GOODWIN, of Pennsylvania. Our Lord was tempted.

The Rev. Dr. MASON, of North Carolina. I beg your pardon. I should be tempted, of course; but I should have no trial in my soul. It shows the fruitfulness of Divine revelation. The Evangelist knew that our Saviour could have no unholy thought for one instant in His soul, and, therefore, He sent the Angel of Evil before Him to tempt Him to do wrong; but our Saviour never entertained the thought of ambition, of inordinate love of power, of worldly glory, or any temptation that could be set before Him. He could not entertain it; but, if He had a conflict with despair, despair must have entered the heart, in some degree, at any rate, or there could be no conflict. Was there any conflict with ambition; was there any conflict with worldly appetite; was there any conflict with worldly glory? Never. And, therefore, the case is entirely different, and it is one of the proofs, I think, of Divine revelation, that the Evangelist has brought the personal enemy of mankind before our Saviour, and has not in the least degree intimated that there was any feeling of that sort in His heart, not the least shadow of it, and it cannot possibly be that there could be a shadow of despair in our Blessed Redeemer, who confided so entirely in the love of the eternal Father. It has always been a dreadful idea to me. I cannot endure it for one instant to be ascribed to that infinitely pure and spotless character, who lived to be a blessed example to us in every possible respect, and not only as a sacrifice for our sins.

The Rev. Dr. JACKSON, of Connecticut. I have no doubt it has been very generally felt by the members of the Convention that we ought to have some Hymnal. We are tired and sick of the present state of things. Our present Hymnal, including that which is bound up in the Prayer Book, is confessedly a very poor one. I had almost made up my mind to accept this Hymnal without question and adopt it at once; but on further consideration I entirely concur with the deputy from Wisconsin who has offered this amendment, and the deputy from Pennsylvania who has supported it, in believing that it would be wise for us to defer the final settlement of this question, to adopt this Hymnal provisionally and use it, not interdicting other Hymnals, allow it to be the subject of criticism for the next three years, friendly criticism, I have no doubt, allow other hymns to be suggested, allow the subtraction of hymns from this present book to be intimated, and then let us come forward at another General Convention and be prepared to adopt a Hymnal which shall be final at least for some years, and then I hope all other Hymnals will be ruled out and interdicted.

The Rev. Dr. HOWE, of Pennsylvania. Before any other member gets the opportunity to put himself in a contentious attitude in regard to this matter of liberty of criticism, I wish to say that the Com-

mittee on the Hymnal never have proposed to interdict criticism at all. In presenting their report the other day, I ventured, modestly, I trust, to express the wish that instead of opening the book to *impromptu* criticism upon the floor, and occupying a vast deal of time thereby, individual members would reduce their suggestions to writing and send them to the Committee; but if the Convention prefer, *in limine*, on the introduction of the first resolution, to open this entire book, if they think it will lead to edification, if they think it will bring us to an earlier decision of the matter, be it so.

Now, in regard to this question of introducing the words suggested by the deputy from Wisconsin, I confess that as a member of the Committee, I deprecate the introduction of those words. I do not so much deprecate the intent which he had in his mind by suggesting them. I think if we read the whole series of resolutions as sent down to us by the House of Bishops—and I think we have a right to read them for information in order that we may see what is before us and what it will be proposed presently that we shall do—I think that if we read the whole series of resolutions wherein it is contemplated that this Committee shall be continued until the next General Convention, it will be seen that all that my friend from Wisconsin desires is implied in the resolutions themselves, and that the introduction of the words “provisionally until the next General Convention” will just go to keep the mind of the Church unsettled and to make it feel that after all we have no Hymnal, but that this interminable subject is yet to go on for half a generation more.

Sir, I have been engaged in this business ever since 1856. I do not know how many more Conventions in the providence of God I shall be permitted to attend. I begin almost to despair of ever seeing a Hymnal in the Church; and for one,—no I do not dare to say what I was going to say.

I trust, therefore, that my brother from Wisconsin will, in consideration of what he sees in the subsequent resolutions, discover that there is no need of introducing those words in order to get at the end which he has in view.

The Rev. Dr. PADDOCK, of Long Island. I had not intended to trouble the House with any impressions of my own on this matter; but I feel constrained to suggest that one or two of the points made by those who have advocated the passage of the amendment of the deputy from Wisconsin, are points which would lead this House, if distinctly understood, I think, into interminable difficulty and into indefinite postponement.

There is a difficulty connected with this matter which this House cannot for one moment afford to forget, and which has been very much forgotten. Gentlemen speak as if this was the first introduction of a Hymnal to the consideration of this Church, and as if it required, therefore, the utmost caution how we proceeded in the premises. I thank the reverend deputy from Pennsylvania for stating the fact, which I was intending to state myself, that for fifteen years this matter has been before this Church in this land; that in that time we have seen Hymnals adopted by almost all Christian denominations; that the cry has gone

up from all parts of this land, first in memorials, in words, and then in acts, so far as they could lawfully act, and I am afraid I must say, if I speak my own convictions, sometimes where they could not lawfully act—the cry has gone up and been illustrated, that we must have an enlarged Hymnal.

Most distinguished members of this Convention, both of the other House and of this, have been appointed as a Joint Committee repeatedly on this matter. It has come to pass that for the third time the reports of such Joint Committees have been brought before this House; and now we are asked to do—what? To say that this body of hymns, compiled by men eminent not only throughout this Church and throughout this land, but in the cases of some of them, men eminent wherever the English language is spoken, as men of great culture and of poetic ability,—we are asked to say that a Hymnal compiled for the third time, and brought at last before this House by such a committee, shall be—what? Why, sir, shall be allowed to take a place in competition with three or four other Hymnals that the Church has been trying for some years past. We are asked that churches shall be allowed, if they please, and if their members think they can afford it, to go and buy another set of books all over the country, and try this book and see whether they like all the hymns in it or not, to see whether there be not some expression which, on the whole, does not agree with the taste of this gentleman or of that excellent Christian woman in the congregation. We are asked, in other words, to take the book and permit it to take rank with three or four other books, which we have been allowing for the last three or six years to be on trial before the American Church. I beg leave to suggest that the time will come by and by when no Bishop, no presbyter, no layman of this Convention who respects himself, will allow himself to be put on a committee that has the word “Hymnal” in it.

I beg leave still further to say, that if we pass this resolution granting this same permission only and nothing more, not in anywise stamping this book with authority, we almost shut up ourselves against the liberty contemplated by the second resolution, namely, of saying that no other book shall be allowed, and this shall be the Hymnal. We prejudice the case, because if this be allowed only till the next General Convention on trial, what earthly reason is there for then instantly shutting down on three other bodies of Hymns, which occupy precisely the same ground and have precisely the same right?

I beg leave also once more, although I may be wearying the House, to say that I do think this House should distinguish accurately, as I fear it does not, between what is the right of members and what is expedient. I do not doubt for one moment, nor does any man on this floor, that it is the right of every one of the three hundred and more members of this House to rise and say, “Sir, I dislike the grammatical arrangement of that particular line in that particular hymn;” but is it expedient? Shall we ever have a Hymnal in this Church of God till the end of time, unless we can trust somebody sooner or later to compile it for

us? And when it comes to pass in God's beneficent providence that a controversy—I do not use the word as implying any bitterness,—that an earnest discussion if you please of fifteen years is, at least apparently, drawing near its end by the unanimous recommendation of a most wise and cultured, and fairly representative committee of this Convention, when this controversy would appear to be drawing still nearer to its end by the fact that in that very large and variously constituted House of Bishops we have a unanimous decision recommending this book, has it come to pass that we are to be told that we have a right to stand up here and say, "I do not like a line near the middle of that book, although I like all the rest, and therefore, although the Joint Committee has adopted it, and the House of Bishops of fifty members has adopted it unanimously, still I cannot trust this committee, and I cannot trust the Bishops, for perchance if I turn my nose the right way, three years hence, I might smell some heresy in the book." It seems to me, expediency may fairly ask of the members of this House, that they decide whether they can trust somebody, or not. If we cannot trust a committee which has been considering this year after year, and I had well nigh said decade after decade of years, and if we cannot trust the unanimous action of the House of Bishops, I think we shall never have a Hymnal in the American Church.

Mr. WELSH, of Pennsylvania. I rise simply to move as an amendment a concurrence with the House of Bishops in Message No. 21.

The PRESIDENT, *pro tem.* I do not see how you can amend the motion before the House by inserting a concurrence with the House of Bishops.

Mr. WELSH, of Pennsylvania. Then I move to amend by striking out all after the word "Resolved," and inserting the resolutions adopted by the House of Bishops.

The PRESIDENT, *pro tem.* There is some misapprehension in regard to this matter. As I understand, the resolution before the House, to which the gentleman from Wisconsin offered an amendment, is a substantive resolution presented to this House by the Joint Committee on the Hymnal, offered by one of the members of this House. I ask the Chairman of the Committee to explain it as he understands it.

The Rev. Dr. HOWE, of Pennsylvania. When the Chairman on the part of this House of the Committee on the Hymnal rose on this subject, he introduced what he had to say with a motion that this House concur in the first resolution sent down to us by the House of Bishops in Message No. 21. A division was asked of the resolution which was before the House, being the first resolution of those sent down by the House of Bishops. The gentleman from Wisconsin then offered an amendment to the first half of the first resolution sent down from the House of Bishops, the concurrence in which we were considering. Now, the lay member from Pennsylvania proposes to strike out all after the word "Resolved" in that first resolution, and to insert:

That this House concur in the resolutions transmitted to it by the House of Bishops in Message No. 21.

The PRESIDENT, *pro tem.* I do not so understand the matter. I understand the order of the day for to-day to be the consideration of the report of the Joint Committee presented to this House and the resolutions appended thereto. The first resolution which I submitted to the House was this, as reported by the Joint Committee, and it has nothing whatever to do with the message from the House of Bishops.

Resolved, That the Hymnal reported by the Committee be authorized for use in this Church, and that no other hymns be allowed, except such as are ordinarily bound up in the Book of Common Prayer.

The resolution has been divided. I made the remark myself, "the resolution before the House is that the Hymnal reported by the Committee be authorized for use in this Church."

The Rev. Dr. HOWE, of Pennsylvania. That is the same thing.

The PRESIDENT, *pro tem.* It is different in form. I never heard of any concurrence with the Bishops. I decide that the question before the House is the first part of the first resolution reported by the Committee.

Mr. WELSH, of Pennsylvania. I do not understand the Chair as ruling that an amendment to an amendment is out of order?

The PRESIDENT, *pro tem.* Not at all; but the amendment must be germane to the subject, and cannot be of the nature of your first proposition, to concur with the House of Bishops.

Mr. WELSH, of Pennsylvania. I offer as an amendment to the pending amendment the following series of resolutions:

Resolved, That the Hymnal reported by the Joint Committee of the General Convention be authorized for use in this Church, and that no other hymns be allowed in the public worship of this Church, except such as are now ordinarily bound up with the Book of Common Prayer.

Resolved, That the Committee be authorized to make arrangements for the publication of this Hymnal, so as to defray all expenses already incurred for printing the present edition.

Resolved, That the first resolution contained in the report of the Committee shall take effect and become authoritative on the Feast of the Epiphany.

Resolved, That this Hymnal shall not be bound up with the Book of Common Prayer until order to that effect shall be taken by the General Convention.

Resolved, That the Committee on the Hymnody of the Church shall be continued, with instructions to make such alterations in the text of the Hymnal now adopted as may be needed in order to secure accuracy and literary completeness.

Resolved, That suggestions as to the introduction of hymns into the Hymnal or the omission of hymns from it may be submitted to the Committee until Tuesday, October 17, 1871, at three o'clock, and that the Committee be requested to report their

judgment thereon before the adjournment of this Convention.

Resolved, That if the said supplementary report shall be adopted by the two Houses of the General Convention, the Committee shall be thereby instructed to amend the Hymnal accordingly.

Resolved, That a royalty of ten per cent. upon all sales of this Hymnal shall be secured, said royalty to meet the expenses of the General Convention, after the expenses incurred for printing the present edition shall be paid.

The PRESIDENT, *pro tem.* I decide the whole series of resolutions out of order because they proceed on the supposition that the Hymnal has already been passed by this House, and they cannot be received in the present form.

The Rev. Dr. NORTON, of Virginia. With the present understanding of the state of this case, if the gentleman from Pennsylvania who has so long had this subject in charge will not imagine that any member of the body would rise for the purpose of adding one straw to the burden which he has so long borne from his love for this Church. But I think it must be plain to every member of the Convention that if we have nothing before us but the two resolutions reported by our own Committee originally and contained in their printed report, although it may be perfectly proper that the resolutions which come down from the House of Bishops should be read for our information, yet it is not fair to draw in any of the resolutions contained in that series as meeting the difficulties in the way of our adoption of the two resolutions which alone are now before the House. If it is contemplated to bring before us finally the resolutions which have come from the House of Bishops and to move their adoption, then I can see no object attained by the discussion of these resolutions except that the sense of this House may in some way be fairly ascertained upon the points of interest involved in the subject; and assuredly there can be no point of more interest to us than that which has been raised by the Deputy from Wisconsin. It is in vain to say that in the series of resolutions proposed by the House of Bishops that difficulty has been obviated. We are now considering these two resolutions, or rather the half of the first resolution, and I maintain that if there be any purpose in passing this resolution, or the half of it, now, it is certainly in order and it is certainly of interest to us in expressing our opinion upon the point that these hymns should be allowed for use, that we should at the same time express our conviction that we ought not to adopt finally this as our Hymnal, except with the reservation suggested by the deputy from Wisconsin. Therefore I hope that the respected deputy from Pennsylvania who has labored so long, will not feel discouraged, and that he will not feel that the suggestion is offered in any contentious spirit, but from that earnest desire which I am sure we all partake of, that the labor in which he has been engaged shall be so completed that it may long remain for the edification and comfort of our whole Church.

The Rev. Mr. HUNTINGTON, of Massachusetts. Am I right, sir, in supposing that the question now is on the amendment of the deputy from Wisconsin?

The PRESIDENT, *pro tem.* Yes, sir.

The Rev. Mr. HUNTINGTON, of Massachusetts. I hope this Convention will not allow itself to be led captive by the syren voices from Wisconsin. I want to say two things. The first is, that I trust a very wide margin of charity and liberty will be granted by the committee in this matter of receiving suggestions. There are as many as fifty hymns which I should be glad to see dropped from this collection; there as many as twenty-five which I should be glad to see added to it; there are as many as forty verbal emendations which I should like to see made in order to preserve the accuracy of the text and do justice to the original authors of the hymns, but I will not mention one single one of these desired changes, because I think them irrelevant to the present discussion, and because I am perfectly satisfied with the offer which the committee has made to receive in good faith, and to act in good faith upon, any such suggestions as may be given them.

The second thing I want to say is this,—and this is what I referred to in saying that I trusted the House would not allow itself to be led captive. It seems to me there is a great danger lurking here in this proposal. It is the old story, with which we are all familiar from our childhood, in the Arabian Nights. You remember it. The cloud giant had been for a thousand years shut up in a little casket. By an accident, a fisherman broke the casket and let out the giant. "How shall I get him back again?" said he to himself. He did it by persuasion. He said to the giant, "I will never believe that you could ever have been in that little box unless you go in there again, and show me how." The giant, in his self-conceit, went in, the fisherman clapped on the cover, and there he was. "Now," said the giant, "let me out again." "No," said the fisherman, "you are there, and there you shall stay." Sir, for nine years at least, the cloud giant of license has been walking through our Church. By dint of three things: first, the intrinsic excellence of this proposed Hymnal; second, the cogent reasoning contained in the report accompanying the Hymnal; and thirdly, the unanimous consent of our fathers in God to accept it as a Hymnal in this Church, that giant of license has been persuaded to enter the casket of law. Keep him there, I say. Keep him there henceforth, and for thirty years to come, at least.

The gentleman clamors for three years; "give us only three years that we may try this Hymnal and that we may try others." Ah, there is the danger—try others! Let me remind gentlemen of this House—and I need not remind the clerical members of it—that three years is quite time enough to educate a generation in the love of certain hymns. Suppose that under this license the deputy from Wisconsin, and I myself, for instance, in-

roduce Hymnals to our own liking in our congregations. The members of our congregations become attached to certain hymns. Those hymns may be more at variance with the doctrines of this Church than any that have been mentioned on this floor; but I defy anybody, I defy any collection of powers, to persuade the minds of those who have become attached to those hymns to willingly and with their consent, let them go. No; depend upon it that this delay of three years that is asked for will defeat the whole thing, and that if the amendment of the deputy from Wisconsin is allowed to pass, Heaven's first law is, in this Church, broken forever.

The Rev. Dr. HOWE, of Pennsylvania. I wish, in the first place, to call attention to the fact that on the receipt of the message from the House of Bishops yesterday, this House adopted the following resolution:

"On motion of the Rev. Benjamin I. Haight, D.D., of the Diocese of New York, the consideration of this message was assigned to Saturday in connection with the report of the Committee on the Revision of the Psalms in metre and Hymns."

That message, therefore, is before the House, as well as our own report.

The PRESIDENT, *pro tem.* Undoubtedly.

The Rev. Dr. HOWE, of Pennsylvania. Now I respectfully ask leave of the Chair, and of the House, to withdraw the resolution which he understood me to put, which was the first resolution appended to the report of the committee, in order that I may substitute a motion that the resolutions transmitted from the House of Bishops be concurred in by this House.

The PRESIDENT, *pro tem.* Will the House grant leave to the gentleman from Pennsylvania to withdraw his first resolution?

Mr. LIVINGSTON, of New York. That I suppose is open to discussion.

The PRESIDENT, *pro tem.* Certainly.

Mr. LIVINGSTON, of New York. I certainly am not prepared, and I do not think this House is prepared, to adopt this without discussion. I have been very much instructed by the discussion which has already taken place, and I regret very much indeed to see the authority of the committee brought to crush us out from discussion. It does seem to me that this is a question which should take at least one day, and that we should not be at once called upon to say, "We will either have this Hymnal, or we will have none."

The eloquent remarks of the gentleman from Massachusetts, who preceded me, have satisfied me that there is much in the question brought before us, and that we should adopt a Hymnal; but that is not all. The proposition of the chairman of the committee involves the adoption, as I understand it, of all these resolutions. We ought to take them up one by one and not be forced to vote on this question, whether we will have a Hymnal or not, simply, because that is the result of this motion. Therefore, although I should be willing to vote for the Hymnal, I should be unwilling to vote for the withdrawal of this question.

Mr. SHEFFEY, of Virginia. My friend from New York has failed to remember the right that he

would have as a member of this House under the rules. It is his right, on the motion of the member from Pennsylvania, to demand a separate vote on each resolution. It is only proposed now by the member from Pennsylvania that, instead of the report of the joint committee, the message from the House of Bishops shall be taken up. If he desires to attain that object, he can move to lay the present order of the day on the table with a view of taking up that which comes immediately after it. When you take up that message from the House of Bishops, the very first resolution contained in that message is identical with the resolution now under consideration, and although the member from Pennsylvania might propose a solid vote of concurrence with the entire series of resolutions of the House of Bishops, any member can ask for a distinct, separate vote on the first resolution, and then the member from Wisconsin can again renew upon that his motion to amend. Thus it will be seen that the right cannot be taken away from members on the floor, to have the question distinctly put on each resolution.

The PRESIDENT, *pro tem.* I desire to state to the House that, as I understand, the motion of my friend from Pennsylvania changes nothing but the mere form of the record on our books, and the mere form of procedure. Under the resolution which he proposes, the whole subject is before the House for just as full and free discussion as is possible. I hope the House will grant him permission to withdraw the other motion, because it changes nothing but the form of procedure, and will save some little complication which might arise from my misunderstanding him or his misunderstanding me.

Mr. SHEFFEY, of Virginia. The proper motion would be to lay on the table.

The Rev. Dr. HOWE, of Pennsylvania. I submit to my friend whether the message from the House of Bishops has not been made part of the order of the day by the vote of this House. I think it has.

The PRESIDENT, *pro tem.* The question is on granting leave to withdraw.

Leave was granted.

Mr. McCRADY, of South Carolina. Can the report of a committee be withdrawn by a single individual of that committee?

The PRESIDENT. The report is not withdrawn, but only the consideration of the first resolution in the report.

Mr. McCRADY, of South Carolina. Can even that, when it has been proposed by a committee and made the order of the day by this House, be withdrawn?

The PRESIDENT, *pro tem.* The resolution that now comes up is exactly the same.

Mr. McCRADY, of South Carolina. When you act on the one, it is primary action and must go to the House of Bishops; when you act on the other, it is final action. That is the difference. It is the commonest thing in the world in a legislative body, when there is a proposition before it and a similar proposition comes in from the co-ordinate body, to lay the one on the table and take up the other; but as I understand it, no single member can withdraw that which we have ordered to be before the House.

The PRESIDENT, *pro tem.* The House have ordered it as I understand, and this discussion is not in order if no motion to reconsider is made.

The Rev. Dr. HOWE, of Pennsylvania. I now move that the House concur in the resolutions trans-

mitted to us from the House of Bishops in Message No. 21. Need I read those resolutions again, they having been twice read?

The PRESIDENT, *pro tem.* Read the first one, because the question must be taken on that first.

The Rev. Dr. HOWE, of Pennsylvania. Not unless somebody asks for a division.

The Rev. Dr. ADAMS, of Wisconsin. I ask for a division.

The Rev. Dr. HOWE, of Pennsylvania. The first resolution is :

Resolved (the House of Clerical and Lay Deputies concurring), That the Hymnal reported by the Joint Committee of the General Convention be authorized for use in this Church, and that no other hymns be allowed in the public worship of this Church, except such as are now ordinarily bound up with the Book of Common Prayer.

The Rev. Dr. LEWIN, of Maryland. I call for a division of that resolution.

The PRESIDENT, *pro tem.* Then the question will be on the first part of the resolution.

Mr. BURGWIN, of Pittsburgh. I rise to a point of order. Can we divide a question when it comes as matter of concurrence with the House of Bishops?

The PRESIDENT, *pro tem.* I see no difficulty whatever in it.

Mr. BURGWIN, of Pittsburgh. Can we concur in part of a message from the House of Bishops and not concur in the other part? It strikes me, we must either concur or non-concur, and I ask the Chair to rule on that matter for the information of the House.

The PRESIDENT, *pro tem.* I rule that we have a perfect right to do it. The question now is on the first part of the resolution.

The Rev. Mr. EGAR, of Pittsburgh. I move that the further consideration of this first resolution be postponed until after we have considered the sixth resolution, and I do it simply for this reason: We have only had one or two days to look through this Hymnal. So far as I have seen, and so far as I have conversed with members respecting it, I think there will be no difficulty finally in passing it. With respect to criticism of matters which are in it, there is not very much difference of opinion, I think, about that. There are a great many hymns in it which I, for one, and a good many others of us, shall not probably use; but we say we have no objection to them. But the question is with respect to hymns that are not in it. If the Convention will allow me to take rather a wide range in the course of my argument, I think they will appreciate what I have to say on that point.

I do not intend to go into a criticism of any hymns; but as bearing on the action which we now propose, I wish to say this: Many of us have been educated for the last three years, as the gentleman from Massachusetts said, to love a great many hymns that are not in this Hymnal. As I understand it, the sixth resolution provides that the Committee may receive suggestions with respect to these hymns. Now, it is perfectly possible that there may be a majority of the members of this Convention who may desire some hymns which that Committee, in their wisdom, may think it inexpedient to recommend. It seems to me if we act on this first resolution now, this House would have no relief, but would be compelled to accept their report as a finality, whereas, if the question comes up with respect to adding certain hymns, they might be added if we had not previously decided the case.

I wish to say further, with respect to the matter as discussed under the amendment of the Rev. Dr. Adams, which I suppose fell with the withdrawal of the primary resolution, the liberty which we have had only really extended to two books, "Hymns Ancient and Modern," and "Hymns for Church and Home." I have yet to hear—I am speaking now as to the possibility that this Convention might not be willing to sanction this Hymnal—of any congregation of this Church that has ever adopted "Hymns for Church and Home." "Hymns Ancient and Modern" have been adopted in a great many churches. The trouble under which we are laboring has arisen from what I believe to be the wrong action of the last General Convention in authorizing hymns to be used from "Hymns, Ancient and Modern," and "Hymns for Church and Home."

I have no doubt the matter would simplify itself, even if we did not pass this Hymnal, with respect to the license that is now allowed; but I think it would be advisable on the part of this House to postpone the consideration of the final adoption of this Hymnal. I have no doubt it will pass. I have no disposition to criticise anything in it. I hope to have the honor of presenting to the committee some suggestions, as I suppose many others will do; but I think it will do us no harm to have a further opportunity to examine it, which we can have by postponing the first resolution until we have acted upon the sixth resolution, and I presume that will pass without any trouble at all.

I beg further to say that I have a request signed by every member, with one exception, of the General Convention whom I have seen and talked to, and shown it to, asking the Convention to incorporate in the new Hymnal some fifty or sixty hymns which we have used and which we have learned to love. That will be presented to the committee, and I do not intend to speak of it now. But I want to say that we will be in better condition to pass the Hymnal after we have received the report of the committee, which shall be authorized under the sixth resolution. I hope, therefore, that my motion will prevail, and that the further consideration of the resolution now before the House will be postponed until after we have considered the sixth resolution. If this motion shall prevail, I shall move, if no one else does, that the four succeeding resolutions be postponed so as to get immediate action on the sixth resolution, which, it seems to me, is the essence of the question just at the present time.

The Rev. Dr. ADAMS, of Wisconsin. I beg leave to renew the motion, that I made as an amendment, if it is in order.

The PRESIDENT, *pro tem.* It cannot be in order until the question is taken on postponement. The question now is on postponing the further consideration of resolution No. 1, the resolution to concur, until after the House has considered the question of concurrence with resolution No. 6.

Several deputies asked for the reading of resolution No. 6, and it was read as follows:

Resolved, That suggestions as to the introduction of hymns into the Hymnal, or the omission of hymns from it, may be submitted to the committee until Tuesday, October 17, 1871, at three o'clock, and that the committee be requested to report their judgment thereon, before the adjournment of this Convention.

The Rev. Dr. ADAMS, of Wisconsin. I had imagined that when a resolution was brought up here, it

came in regularly before this body, and then my amendment was before this House.

The PRESIDENT, *pro tem.* It would have been if you had made it, but you did not make it.

The Rev. Dr. ADAMS, of Wisconsin. I made it, sir.

The PRESIDENT, *pro tem.* Not after the motion for concurrence was made.

The Rev. Dr. ADAMS, of Wisconsin. I beg leave to say, that I presented that amendment and that I thought it was before the House, and it was read out as being before the House, but parliamentary rules come in somehow or other, and, after divers and sundry operations, lo and behold the thing goes overboard and I do not believe any one except a parliamentarian understands where the thing is. [Laughter.] Now there is a motion to postpone.

The PRESIDENT, *pro tem.* Let us take that question and then you can bring in an amendment.

The Rev. Dr. ADAMS, of Wisconsin. I will say about the motion to postpone, that I hope the good sense and fairness of this House will prevail to deny that motion, so that the question which has been discussed already, may come fairly before them, and we may get at the matter as it stands.

The PRESIDENT, *pro tem.* The question is on the motion to postpone.

The motion was not agreed to.

The PRESIDENT, *pro tem.* The question recurs on the first resolution.

The Rev. Dr. ADAMS, of Wisconsin. I offer the following:

Resolved, That the words "provisionally until the next General Convention" be inserted after the word "Church," in the fourth line of the first resolution.

The first resolution is:

Resolved (the House of Clerical and Lay Deputies concurring), That the Hymnal reported by the Joint Committee of the General Convention be authorized for use in this Church.

The concluding part of it was:

"And that no other hymns be allowed in the public worship of this Church, except such as are now ordinarily bound up with the Book of Common Prayer."

Sir, I have suffered badly. One gentleman talks about the syren song from Wisconsin; another gentleman compares me to Samson; another gentleman brings in the Arabian Knights and the genius of License. Now, I will say in regard to license, that any man who has known my course in this Church from the time I was ordained deacon to this day, must say that I have been in favor of bringing everything under the law of this Church, and I have been a law-abiding man all my days, and am so to-day.

The gentlemen of the Committee are very much wearied by the long time it has taken them to bring forth this Hymnal, which Hymnal I say nothing against, but I am anxious that it should be adopted provisionally. Now, are they aware that it took the Latin Church twelve hundred years till they got their Hymnody, while it took the Greek Church eight hundred years? I say time has not been misspent. And furthermore, I say that the time will not be misspent on the resolution if you and I and everybody else be allowed to read this Hymnal over, to sing it, to pray over it, and to bring it forward finally at the next General Convention. I say my resolution, so far from impeding this Hymnal in

its progress, is perfectly and entirely auxiliary to it. I suppose the members of this Convention remember something of what I said before; but this parliamentary operation has given me a chance of having a second speech. [Laughter.] I will not insist on having a second speech, but I will add something that I think will be some help.

One gentleman has insisted that the words of my amendment are surplusage. Why so? Because the thing is implied in the series of resolutions, and he says that if I had read the resolutions I would have seen that my words were surplusage. Now with all respect to him and to others who have used this argument, I respectfully say that my words are not surplusage. The first resolution has an absolute and a negative side in it. The absolute side says these hymns shall be used; the negative side says no other hymns whatsoever shall be used; that is, "no other hymns be allowed in the public worship of the Church except those ordinarily bound up with the Book of Common Prayer." I say therefore that if you passed that resolution you would have this Hymn Book bound on you without any opportunity of examining it or deciding upon it. The thing would have been settled, nailed down, and fixed. I have no objection to the Hymn Book but I want the chance during the next three years of examining it. I want to examine these hymns. My collection of hymns is not more than 20 volumes; that of Bishop Whittingham is about 300, and I want a chance to examine these hymns and see how they go and how they suit.

Gentlemen argue that my words are surplusage, because the committee is to be continued, and I may write as much as I please to them. If I set to and draw out twenty pages of new hymns, and state objections to those that are there, what can they do? There is no public action whatsoever between me and them. They may say, "Dr. Adams is an objector; he does not believe in this, that, or the other," and they may put what I write in the waste basket. How is the world the wiser for that? That is the amount of the thing.

Now, I will not spoil what I have said by being too tedious. I am not afraid of being called the great bore of this House. [Laughter.] But there is such a thing as speaking too much, and in coming before this House, since I have been a member of it, I never have made long speeches. I have said what I thought was necessary, and, thank God, I think I have been able to stop mischief in this House. My speeches are short, direct, and to the point.

Mr. President, I will only say that I feel that this House is with me. I feel that every member of this House desires a new Hymnal, that we have the highest possible respect for the gentlemen who have compiled this Hymnal, and for the member from Pennsylvania who has brought it forward. I have no intention in any way to depreciate their labors, or to bring them improperly before this House. I take it for granted that it is the best Hymnal that has been brought before the Church in all respects. All I want is that the members of this House shall allow to me and others the opportunity for the next three years of using it, of examining it, of seeing it, of in every way being imbued with its spirit, so that we may come forward at the next General Convention and say "This Hymnody has been brought forward by men of great name, of pre-eminent eloquence, of eminent business capacity and knowledge; we have examined this book, we know it is so, we have submitted to them any

amendments we thought necessary; they have accepted them; they bring them forward before us, and it is to be the Hymnal of the American Catholic Church for ages."

Therefore, Mr. President, I insist on my amendment.

The PRESIDENT, *pro tem.* The question is on the amendment of the gentleman from Wisconsin.

The Rev. Dr. ANDREWS, of Virginia. I presume the object is—I doubt not it will be avowed—to obtain for three years longer the opportunity to use the "Hymns Ancient and Modern."

The Rev. Dr. ADAMS, of Wisconsin. I beg leave to say that no such idea is in my mind.

The Rev. Dr. ANDREWS, of Virginia. There never has been a lawful use of that book thus far. I made a note of it shortly after the last General Convention but I have hardly had time to read it since, but it was made with much care after consultation with the Committee of the House of Bishops on that subject and I beg leave to read that note.

The PRESIDENT, *pro tem.* I rather doubt whether that is in order now. The Hymns Ancient and Modern are not before the House.

The Rev. Dr. ANDREWS, of Virginia. It is introductory to what I wish to say.

The PRESIDENT, *pro tem.* Very well.

The Rev. Dr. ANDREWS, of Virginia. And I think it will be of interest to the House.

"A proposition was made in the lower House at the last General Convention to allow any Bishop to license the use of any Hymns in the book entitled 'Hymns, Ancient and Modern.' This failed, it having been shown that some of the hymns contained palpable Romanism. A Committee of the House of Bishops reported against a number of hymns contained in said book on the same ground. The final action of both Houses was as follows: 'It shall be declared lawful until a revisal and enlargement of the collection of hymns now set forth for use in this Church shall have been made and duly authorized, that in any diocese, in addition to those already allowed, hymns from the volume entitled, 'Hymns for Church and House,' and from that entitled 'Hymns Ancient and Modern,' may be licensed for use by the Bishops of the same.' 'This word 'from' grew out of an understanding, certainly as far as the concurrence of the House of Bishops was concerned, that a selection was to be made, and a committee for such selection has now reported. This I have from a member of the Committee of the House of Bishops. And what we wished to get rid of was the educating effect of that same book for the next three years."

If I were in order I could quote hymns from that book. In fact the matter was hurried through very hastily at the close of the session, loosely enough to have it misunderstood all around; but forthwith on the adjournment of the Convention, divers Bishops allowed the use of that book out and out, which certainly was not contemplated, as I understood from a large number of those concerned in the other House. There is in it an alliance as near as can be with Roman doctrines without absolutely announcing them.

The Rev. Dr. LEWIN, of Maryland. I rise to a point of order. It is with the greatest regret and hesitation that I do it; but is the consideration of the use of "Hymns, Ancient and Modern," before the House?

The Rev. Dr. ANDREWS, of Virginia. I will yield and bring it up at another time. I only want to say that it has never been lawfully allowed in this Church.

Mr. GORDON, of Alabama. It strikes me, Mr. President, that the Rev. deputy from Wisconsin, and those who desire to introduce the word "provisionally" in the first resolution, have lost sight of the fact that no canon or resolution is irrevocable. Canons and resolutions are all repealable by the succeeding body which shall meet in our places three years hence. If we pass the resolutions that have been reported by the House of Bishops to us, and which now come before us, if we pass this original first resolution without amendment, it can be repealed by the next General Convention just as well without the word "provisionally" as with the word "provisionally"; and hence the only difference is this in reference to the next three years, shall we have a Hymnody which is intended to be grafted upon the Church, except so far as certain alterations which may be made in the future shall modify it; shall the Church mind be educated and grow up with this Hymnody during the next three years, or shall we be still at sea, as we have been for the last twenty years? It strikes me that by the introduction of the word "provisionally," nothing will have been done by this committee who have labored so long, so faithfully, and so zealously for us.

There is at any rate this fact patent to us, that in the Hymnody which has been reported to us there are one hundred and thirty of the original hymns—I speak in round numbers—some seventy odd of the original psalms in metre, some forty or fifty of the additional hymns, and, in addition to that, there is a resolution, I think, in the series, which permits until the next General Convention, in addition to the use of the hymns which have been reported in the Hymnody, the hymns and psalms which are now embodied in the Book of Common Prayer.

Our action to-day is not irreversible. You recollect that one of the resolutions reported is to the effect that, while this shall be the Hymnal of the Church in connection for the next three years with the psalms and hymns now bound up in the Prayer Book, yet this Hymnal shall not be bound with the Prayer Book until after the meeting of the next General Convention. That leaves it, therefore, impliedly provisionally, even if it were necessary that there should be an implication, as it is not. That leaves, therefore, for the next three years the Hymnal before the Church, not bound up or incorporated with the Prayer Book, but still going forth from this Convention as a tentative scheme for a final Hymnal that shall give peace to the Church upon this subject. And, Mr. President, I

frankly confess that while I am not in the habit of pinning my faith to any man or set of men, yet, at the same time, when I read over the names of that committee that has labored upon this work for the last three years, I am tempted to say that I, for one, would be willing without turning the page of a single leaf of that book, to accept it for myself. When I read over those names, knowing as I do, their representative character, knowing as I do, their learning and piety, for one, I say, I would be willing to accept it without examination. I do not say that that would be the best judgment for this House to take to-day. It is well that it should be examined, and it is proper, it is decorous and right that the committee should have suggested that it be not bound up with the Prayer Book until after the meeting of the next General Convention.

At the next General Convention there can be brought before this body, as have been brought to-day, any emendations, any corrections, any revisions, which the deputies may desire to bring before this body. This body will be as competent then as it is competent now to determine whether they will insert additional matter or erase that which is there already. And hence there is no difficulty at all in permitting this resolution to stand for the one grand purpose of settling the Church mind on this subject. I never was more struck in my life than by the quotation in the report of this Joint Committee, from the Rev. Edward Bickersteth, on the subject of the use of different Hymnals. I frankly confess that, even in this country, traveling, as I have done, from one point to another, I have been sadly confused, in entering the church of God, to find a hymn given out and not be able to open my book and unite in the praises of the sanctuary. I am not now criticising the use of any one book, but I want a book, I want a Hymnal, for the Church, in order that when I enter the church of God, and am called upon to enjoy the privilege of uniting in the praise of God in His sanctuary, I may be able, with my own book, to follow the lead of the rector, to follow and unite with the congregation in that which he shall prescribe.

Now, sir, I venture to say that if the word "provisionally" is inserted in this resolution, and if the resolution is passed in that provisional form, there will not be one third of the churches of this country that will go to the expense of purchasing this Hymnal. It will be left in a state of uncertainty and indecision, and they will point to the experience of the past, in which there has been a pseudo-recognition of this book, and a sort of recognition of that book as the reason for a failure to purchase this Hymnal. They will point to the fact that the General Convention, when it had this matter before it, which was reported by one of its Joint Committees, which has been before it for twenty years, and now brought with all the solemnity and force of a committee that have labored long and faithfully on the subject, refused to recommend it to the Church, to adopt it for the Church, except in this provisional way. Therefore, very many will

say, "I will wait until the next General Convention, before I purchase it." How, then, are you to arrive at the mind of the Church on the subject? How will you be then any better able to determine than you are to-day, what is the mind of the Church?

Now, sir, venturing to reassert the confidence I stated just now in this Committee, venturing to believe that there will be found but little to erase, but little to add, although there are hymns, I know, to which I have been wedded by associations that I have not found in the index to the work, at the same time taking it all in all, I am satisfied that it is such a work as will commend itself to the sound and mature judgment of the Church at large. If it does not, then at the next General Convention let the reverend and learned deputy from North Carolina, if he desires, to do so if he shall not have succeeded before the Committee of Revision, which sits from now until next Tuesday, in having extirpated the word which he has so much objection to, or if the reverend gentlemen from Pennsylvania desires an amendment of certain words which to him are ambiguous in their sense, if he shall not before next Tuesday have been able to induce the Committee to modify their action, he has a right, we all have a right, at the next General Convention, to come here and have such a resolution carried, if it is the voice of the Convention, the voice of the Church, to have the Hymnal corrected in that way.

I trust, Mr. President, that the original resolutions will be passed in their original style, without amendment, without addition.

The Rev. Dr. MINNEGERODE, of Virginia. Mr. President, to my mind the question is reduced to this: are we to have a Hymnal or not? After the full exposition of the question which has been given by the reverend gentleman from Long Island and from Massachusetts, and by my friend, the lay delegate from Alabama, it seems to me every one must be convinced that the insertion of the word "provisionally" will postpone the adoption of a Hymnal in place of the one we have now *ad Græcas Kalendas*. It has been canvassed longer than any other Hymnal we have ever had in our Church, it has been prepared by the best minds, the most suited for that subject that we have in the Church, and it is now proposed under such sanctions as should command the sympathy and confidence of the whole Church. If we put it off until the Hymnal adopted shall be perfect in all respects, shall suit every shade of opinion, we never can have a Hymnal. Insert the word "provisionally," and all the results which have been referred to by the lay delegate from Alabama will certainly follow, the mind of the Church will remain unsettled, and no universal and harmonious action will be had on the subject. The very difficulties which now present themselves to us will present themselves to us three years hence, when another Hymnal may be proposed, or when this shall be voted on.

I think the provision made in the resolution of the House of Bishops that the Committee is open to

receive amendments until Tuesday, gives the fullest scope of liberty to every one to see his own darling views engrafted upon this Hymnal. I for one am ready to take it as it is with a very few amendments. I believe that if the 328 wise men that sit in this House were night and day to pore over the work and give us three years hence the result of their investigation and their experience, we should have a scene of perfect Babel before us instead of a thing that we can act on rationally and with circumspection, advisedly and in the fear of God.

The Rev. Dr. SCHENCK, of Long Island. Mr. President, it seems to me that there is a good deal of warmth on this subject that might be spared. I am very much mistaken if this body is not almost a unit upon the subject of adopting this Hymnal. I think the labors of the committee have been and are highly appreciated; I think that the value of the book which is before us is also highly appreciated; but I think it is utterly impossible to induce this House to take hasty action on this subject. I think that the members of this House feel that this matter is presented to them for their deliberate consideration, and that they mean to give that consideration to it. This question cannot be forced upon us suddenly. As regards the great question whether we accept or reject the book, that is a foregone conclusion I believe. I am fully in favor of it; but I am not in favor of it because the committee has worked so long, or because the committee is made up of such distinguished men. I am not in favor of it because the House of Bishops has unanimously endorsed it. These are all very moving considerations with me; but I am in favor of it simply because it is what we want, a good book.

There are one or two questions that I should like to present to the chairman of this committee, and then I should like to make one or two observations. The first question is this, whether this book is presented to us as a proposed book, or whether it is presented to us for such action now as shall be regarded as final and decisive upon it? I should prefer the chairman of the committee would answer that question before I go farther.

The Rev. Dr. HOWE, of Pennsylvania. I hardly understood the distinction which the gentleman makes. "A proposed book?"—We propose it to the General Convention.

The Rev. Dr. SCHENCK, of Long Island. I will make my meaning clear then. I supposed the word "proposed" had been used so often as a qualifying term that it was very well understood, particularly by my distinguished clerical friend from Pennsylvania. A "proposed book," as I understand, is one that is submitted to us for use for a time, and after having been used and examined for a definite period, then to be acted upon finally for acceptance or rejection.

The Rev. Dr. HOWE, of Pennsylvania. I do understand under one of these resolutions, that it will be perfectly competent in the next General Convention to refuse to have this book bound up with the Prayer Book and to resolve that it shall no longer be used in this Church. Will that answer the gentleman's question?

The Rev. Dr. SCHENCK, of Long Island. Yes,

I think so. I only want to get what the clear mind of the committee is; it is not so much for myself, but that the House should understand clearly the idea of the committee in presenting the book to us now, and whether the action we take now is to be looked upon as a final acceptance of the book, or whether we are only taking action which is to be reviewed at the next General Convention, when the question will come up for the incorporation of the Hymnal with our Book of Common Prayer.

The other inquiry I designed to submit was this: What is the object of the committee in reporting to this Convention that it proposes, in association with the use of this book, the continued use of the collection in the Book of Common Prayer? We have other collections that are licensed for use. We have the psalms and hymns in the Book of Common Prayer; we have "the additional hymns;" and certainly, even with the nice criticism that is made by the deputy from Virginia, we have licensed for use by the Ordinary in different dioceses, the selection which was made by thirteen or fifteen of the Bishops, from "Hymns Ancient and Modern," and "Hymns for Church and Home." These are distinctly licensed, and are authorized for use. I only wanted to know what was the object of the discrimination that is made by the committee shutting out those hymns that were licensed at the last Convention, and only licensing those that are in the Prayer Book; or, if it was the object to have these hymns practically tested by being used in all the churches, why it was worth while to have any other hymns in addition to them licensed at all?

The Rev. Dr. HOWE, of Pennsylvania. The object was, in the first place, to shut out all hymns except those that are authorized by the common and universally recognized authority of this Church; and, in the next place, to allow those people who have Prayer Books and congregations that are poor and remote and that still choose to employ those Prayer Books and to use only the psalms and the hymns that are set forth in them, to continue to use those books, that gradually this should come into entire use. I do understand that not only the psalms and hymns that we have had for many years, but also the additional hymns that were set forth under authority of the General Convention three years ago, are comprehended under that exception.

The Rev. Dr. SCHENCK, of Long Island. The matter presents a practical difficulty to me in the method that is employed by the committee for bringing this book into use. The committee will continue their sessions, as I understand, for a few days longer to receive suggestions from members of this body before they make their final report to this Convention. Meantime we accept the book as a general thing, and those suggestions may be incorporated or otherwise according to the wisdom of the committee, and I suppose the report embodying their judgment may be revised by this body and we may take specific order, even after we had accepted the Hymnal in a general way, touching the introduction or rejection of any of the hymns.

Suppose now we go to church after the adjournment of this General Convention with this Hymnal that it has authorized for use. Am I to understand that this Hymnal is not to be introduced into the Prayer Book until the next General Convention because it is tentative, because during this time the mind of the Church may decide adversely to its ultimate reception and incorporation, not into the Book of Common Prayer, but between the covers of the Book of Common Prayer? And if so, are we (as is the case I know with a number of parishes who have purchased the selected hymns and have introduced them in the worship at the expense of the members of the congregation) to throw those aside? We are, then, as a Church, to purchase this Hymnal at a cost which will exceed the amount of money that is contributed, I suppose by a very fair calculation, to the whole domestic missionary establishment of this Church, costing hundreds of thousands of dollars, and then at the end of three years we come back, and then do I understand that the question is to come up again whether this Hymnal is to be incorporated into our Book of Common Prayer or not? And if not incorporated into our Book of Common Prayer, it will be a virtual rejection of the Hymnal, I suppose; and the proposition as I gather it from the analysis of these resolutions is, that the whole country shall buy this book really as a tentative book, as a proposed book, and use it for three years and then await the action of the next General Convention to find out whether it is to be discouraged and another book purchased afterward, or otherwise, as the case may be.

I am not proposing any imaginary difficulties. I am doing all this ingenuously, for the sake of bringing every aspect of the case before the body, so that when we vote on the subject we can do it intelligently. I am, I repeat, fully in favor of this Hymnal; but I want to have every aspect of the subject discussed, and I think we ought to allow the largest liberty in this discussion, and I think now, before the House takes its first vote, before we have the first recorded act of this House touching its disposition toward this Hymnal, we should have every one of these points brought up. I was sorry, therefore, that the proposition of the member from Pittsburgh was not acceded to, to postpone this and consider another resolution, if that other resolution was important as a prefatory matter to the consideration of this. I think that this matter ought to be taken up and viewed from every possible point of view, that it should be divided and subdivided, that it should be held up for reflection by every member of this House, in order that we may have mirrored to us the full meaning and the full practical results of each one of these resolutions when they shall come to be put in practice.

While I am on my feet, I beg to submit that in the discussion of this question, it is very important for us to take into consideration what has been done on the subject of our Hymnody, and to remember that what books are now used in the Church are not there as a matter of license, as was so classically illustrated by the clerical deputy from Massachusetts. There is nothing which is

used in the Church which is not a matter of particular prescription on the part of the Church, unless gentlemen choose to play on the word "licensed," and to say that particular hymns are "licensed for use." There is really no license in the use of hymns, according to the word as the gentleman used it. This license is not that dreadful ogre which comes out of the box as I fancy it; but the gentleman must bear in mind, that, even if it is, it has not yet gone back into the box, and it is not worth while to regard the lid as closed on it until it has gone there. At any rate, if we have had license for the use of other hymns, it has been a license from the very highest authority, the license of the legislature of the Church itself. Therefore, whether it be liberty or license, I think is a matter of very little consequence. We do know that the Church of England has found it necessary at last, after experiments of every kind, to have either liberty or license, which ever you choose to call it, so that in each parish of the Church, or at least in each diocese, there is a variation in the Hymnal that is used. I really do not know what would become of the devotional sentiment of the gentleman from Alabama, if he should pass through the dioceses of England with his book in his pocket, for it is very likely that he would be unable to find any hymn given out everywhere with which he was at all familiar.

We must look at this in the broadest possible generalization, and in receiving this Hymnal, we should bear in mind that when it is once voted upon, or when we once take action upon it, that vote will be utterly irreversible, I believe. Whatever record we now make on this subject, will, after the long and arduous labors that have been devoted to it, be like a final record from which I think the conservative sense and spirit of this House will not tolerate an appeal at least in our generation.

The Rev. Dr. NORTON, of Virginia. I think it important, before we vote upon this question, that all the members should understand distinctly what is involved in our vote, which owing to the fact that all members have not the advantage of holding in their hands the resolutions which have been sent down by the House of Bishops, may be a matter of a little difficulty. For example, I am satisfied that the general impression left upon the minds of some in this body has been, that even if we adopt this Hymnal without the provisional clause suggested by the deputy from Wisconsin, the whole subject will be open to suggestions of amendment of every description for three years, and that suggested amendments will, at the end of that time, come up for final action, not as a new question as to our Hymnal, but as part of that work in which we are now engaged. If the gentlemen will examine carefully that resolution which seems to provide for this, they will find that there is no mention made of amendments of that character which members of this Convention regard as the most important of all. We are to have liberty, indeed any member of the Church outside this Convention is to have liberty for three years, according to the 5th resolu-

tion, to suggest any alterations in the text of the hymns so far as to secure "accuracy and literary completeness." The gravest questions of doctrine we have no right under this resolution to suggest; and let me say that owing to a spirit of forbearance, a spirit of gratitude to the long and arduous labors of this devoted committee, those who have been enabled even partially to examine this Hymnal have felt that there were grave suggestions of alteration pertaining to matters of doctrine which they would like to present if the opportunity were fairly offered them. Are we by a hasty adoption of this resolution, excluding all words of a provisional character, to shut the door finally in the face of all suggestions of doctrinal amendments? I am sure that such could not have been the intention of the committee which framed this resolution, and yet I can see no escape from this interpretation of the resolution as we find it here.

Let me not be mistaken as to the power which we have in this respect from now until Tuesday next. We have under the sixth resolution no permission to offer amendments of the text. We have only permission to suggest the introduction of other hymns and the exclusion of some of those hymns which are now in this proposed Hymnal. Whatever doctrinal or other difficulties we may feel with regard to the text of the hymns in the proposed book, we have no invitation to offer those suggestions to the committee between now and Tuesday. We may take all the hymns as they are printed; we may exclude some of them; we may add others to them; but we have no right under this resolution to propose to the Committee any changes in the text. I desire the respected deputy to correct me if I have mistaken the meaning, for I desire to understand it.

The Rev. Dr. HOWE, of Pennsylvania. My word for it, that if the gentleman shall show any inaccuracy in doctrine in the words of the Hymnal, it shall be most respectfully considered by the committee and reported upon.

The Rev. Dr. NORTON, of Virginia. I am sure such would be the disposition of every member of that committee, but we are not providing for it in these resolutions. I say that, dearly as we respect that committee, as ample as may be our confidence in their integrity and in their wisdom, we cannot throw the whole responsibility on them, we cannot escape, every one of us, from our share of the responsibility in the adoption of this Hymnal, and therefore that ought to be contained in the resolution, as undoubtedly it would be the duty of members of this Convention to suggest changes in the text between now and Tuesday, and changes in expressions of doctrine at any time during the next three years. If the gentleman who is chairman of this committee is so clear in his mind that this ought to be the case, then I would appeal to him to insert such changes.

The Rev. Dr. CADY, of New York. Let me suggest that, when we come to that resolution, it will be in order to amend it.

The Rev. Dr. NORTON, of Virginia. We ought not to consider the question of the adoption of this book as our Hymnal except in the light of the whole series of resolutions connected with it, and, as the chairman of the committee has expressed himself most emphatically as willing to receive the changes to which I have alluded, I would appeal to him, in order that we may vote fairly upon the whole subject, to intimate now also his willingness before we vote upon the sixth resolution of the series, to make such changes in the language as shall provide clearly for suggesting amendments of doctrinal expression.

The Rev. Dr. HOWE, of Pennsylvania. It will be perfectly competent for any member of this House to move any amendment of any one of these resolutions as we go on acting upon them consecutively. I have no more right to alter that resolution than the gentleman has, though I am one of the committee. We are now acting on the question of concurring with the House of Bishops in certain resolutions which they have adopted. The resolution to which the gentleman refers has come down to us with certain phraseology. We can accede to it as it is, or we can accede to it with an amendment, and send the amendment up for their concurrence. The committee have no control over the phraseology of that resolution.

The Rev. Dr. NORTON, of Virginia. I can see the difficulty of the gentleman, but I feel the more called upon to ask the attention of this House to the fact that if we vote for the adoption of the first part of the first resolution we vote for it in the face of all these difficulties, we vote for it in the face of only this relief, that some of us may have, of obtaining a change in the subsequent resolutions which seems to me so very desirable.

Now, sir, confining myself for the moment to the first part of the first resolution, and to the impression which seems to have fastened itself upon the mind of my friend from Massachusetts, that we are listening to a syren voice—that great giant of license that we are so anxious to drive out of our fold—I think we can only interpret the first part of this resolution in its connection with the last part which I hope will be adopted as surely as the first part shall be. If the second part of the first resolution be adopted, which reads, "and that no other hymns be allowed in the worship of the Church except such as are now ordinarily bound up with the Book of Common Prayer," I ask the gentleman where is his giant of license. I will vote with him on that second part, and I hope he will vote with us in this very desirable suggestion of the deputy from Wisconsin, not to place the whole matter beyond our control.

The Rev. Dr. JACKSON, of Connecticut. I spoke before for the amendment of the deputy from Wisconsin. I now wish to say that, in consequence of being better informed of the whole history of this Hymnal as stated by the honored Chairman of the Committee, and in consequence of the information afforded by this debate, knowing that it is a choice in

any event between evils, I have made up my mind to support the resolution, pure and simple, as reported.

The Rev. Dr. GOODWIN, of Pennsylvania. I had once taken the floor in support of this amendment proposed by the Rev. deputy from Wisconsin, and I have risen to say that I have been converted to the other side, and I sought to gain the floor before my Rev. brother from Connecticut, who has been converted in like manner. When I say this, I wish to make one explanation, and that is that anything that has been said here about the impropriety of bringing forward our criticisms upon the taste and propriety of this or that expression, or that line in these hymns does not apply to me. I think no collection of hymns that was ever made under the light of this sun could bear such criticism in a House of three hundred gentlemen. I never would enter into such a criticism. But I said before, and I say again, that when questions of doctrine, of fundamental doctrine, are involved in the expressions of these hymns, it does become me and every member of this House to be most deeply and earnestly interested, and I went no further than to suggest one single case. Now I am ready to vote, as has been said, notwithstanding that suggestion, because I am ready even to grasp at this relief, namely, that some gentlemen here say that is an ambiguity of expression, and if it is an ambiguity of expression, I will try to be content.

I then yield any objection even upon that case, if the expression is merely ambiguous; but the reasons that have been given, especially by the gentleman from Alabama, against introducing this provisional amendment, are to my mind perfectly conclusive. We must do this now or we do nothing. The Hymnal never will be read; it never will be bought; we shall be just where we were three, six, and nine years ago. I did not see that before, because I said, and I say still, that in spirit I think the original resolutions contain the same idea. They contain it sufficiently to my apprehension, but in an infinitely safer way than they would if this amendment were introduced.

I will not occupy the time of the House by adding anything further. I wish the House simply to understand that I am converted and ready to vote.

The Rev. Dr. DEKOVEN, of Wisconsin. Mr. President, I have not experienced any sudden conversion, and in listening to what has been said in regard to the history of this matter, so far from being converted to the side of those who brought forward the historical facts, I was strengthened in my previous conviction. It is said that the consideration of this matter of the Hymnal began fifteen years ago. I believe it was six years ago that the sixty additional hymns were first presented to this House. I am sure every one here will agree with me that it has been the time which has been given to this matter, the period that has elapsed, the liberty that has prevailed, which has produced this Hymnal at the present time, and given us so good a one as we have. If this argument that we had better have a Hymnal at once had prevailed six years ago, we should have had stamped forever upon us simply the sixty additional hymns, of which this Committee have rejected all but forty-four.

If the giving of this amount of time has produced this result, is it not worth while to give three years more if so be we may get a still better result? Nor in proposing this, do I, for a moment, think as if one ought to feel that he was discouraging this committee. Men talk as though it was a kind of burden to do

things for the Church of God. I say that any Bishop or presbyter, I do not care who he is, I do not care how world-wide his reputation, who is appointed to consider what shall be the hymns which this Church shall sing, and what the character of the praises that it shall bear up to the throne of God, might well spend his life on such a labor and be thankful for the opportunity.

Now, I should like to know whether it is necessary that this Convention should decide here that we shall have this Hymnal and no other. The deputy from Virginia is desirous that longer time should be given because he fears that in this Hymnal there are certain doctrinal difficulties. I have not had time to give this Hymnal examination, but some one who has examined it has suggested to me that it is remarkable for the fact that it leaves out a great many distinctive doctrines and does not treat upon them. I dare say the deputy from Virginia excepts to it from one side. I incline to believe that we should have more time to consider it from another side. Surely it is worth while that the Church should have time to examine it. The deputy from Massachusetts is afraid lest there be too much license and liberty. License and liberty are not asked for so much as consideration, time for reflection, time for weighing this Hymnal, time to praise in it, time to pray in it, if so be that we may come to the right conclusion upon it.

I beg leave still further to call attention to the fact that the committee themselves appear to think just this same thing. They have not dared to propose this Hymnal for adoption to us as a finality. They want themselves to leave it open. It is not to be bound up with the Prayer Book until after the next General Convention. It is to be left open for additions and for subtractions. They feel, as they ought to feel, that they could not bring before this Convention a Hymnal and have it adopted at once. If therefore the amendment of my brother-deputy from Wisconsin be adopted, it is only carrying out the theory of the committee itself; it is giving this Church time for consideration, time for use, time for reflection, time for praise; and therefore I trust his amendment will prevail.

The Rev. Dr. MORSELL, of Delaware. Now that we have heard from Wisconsin, that we have heard from Pennsylvania twice, from Virginia twice, from Massachusetts, and from Long Island, I have risen to try to make the voice of Delaware heard. Sir, will you listen to that voice for a very brief moment? We sing hymns and psalms down in Delaware, not always the best kind of singing, and we are much interested in the immediate decision of this question. We do not want it postponed. The venerable gentleman from Wisconsin, who proposes this amendment, has told us how many years it took to prepare the Greek Hymnal and the Roman Hymnal. Sir, it is well that a man so full of catholic antiquity as he is, and representing its spirit so admirably, should be willing to wait, but we have not the time to wait. We live in America, we live in a rapid age, we live in an age when men write, think and sing fast, and we do not want this question deferred. Why do we not want it deferred? Because we have already had sufficient time spent upon it. The gentleman from Alabama has put the question exactly as it ought to be put. A committee has been appointed who laboriously, earnestly, and faithfully have devoted themselves to this work. He said he was prepared to receive their report in faith from the ability of the committee. I echo that sen-

timent, and I say that whenever this work is received, it will have to be received upon faith in the committee who supervise it and who attend to it. The great body of the people will receive it in exactly the same way. The great mass of the people have got to try it. It is a most delightful thought to me to think that we are about to have a collection of hymns, fuller, more varied, and better adapted to the times in which we live, than the hymns we have already had.

If it be not wrong in this assemblage to quote the action of other bodies I would refer to the fact that the Baptist Church has had a publication of a new volume of hymns, and so has the Presbyterian Church, since we first commenced to consider the question; and they have published much larger volumes. Why should we defer our action? Why put it off for three years? The gentleman from Virginia says there will be difficulties. Will those difficulties decrease? Will they not have increased at the end of three years? I ask you, was there ever a book of prayers, psalms, or hymns put forth to which men did not make objection.

The Rev. Dr. NORTON, of Virginia. I ask the courtesy of the gentleman from Delaware for a moment. So far as I am concerned, reflecting upon the reasonable chance of obtaining an amendment to the fifth and sixth resolutions, I feel that in view of all the difficulties of the case, it is the better plan not to accept the suggestion of the gentleman from Wisconsin, but to vote for this resolution as it stands.

The Rev. Dr. MORSELL, of Delaware. I could almost shout as if I were in a camp-meeting, "Thank God, another convert." I expect next to hear the gentleman from Wisconsin say that he is a convert too.

The Rev. Dr. ADAMS, of Wisconsin. I abide by my first resolution, and I believe a majority of the Convention will stand by me.

The Rev. Dr. MORSELL, of Delaware. The gentleman has more faith than I have. I was proceeding to say that there never was a body of psalms or hymns put forth to which objections were not made. Objections are made to some of the psalms and hymns we already have, and to a great variety of other things. Shall we wait for the time when there will be no objections? Then we shall have to take this little Hymnal with us up to heaven, and sing it in the general assembly of the first-born.

Several DEPUTIES. Question! Question.

The Rev. Dr. HOWE, of Pennsylvania. I should like to make one word of explanation. I do not wish to force it on the House if they do not wish to hear it. ["Go on."] The gentleman from Wisconsin, nearest me (the Rev. Dr. DeKoven) said that the committee had intimated a wish that the matter might be left open until the next General Convention, and that that wish is embodied in the provision in this series of resolutions that this Hymnal shall not be bound up with the Prayer Book until then. In regard to that I wish to suggest that it will be seen that in a subsequent resolution, provision is made for a royalty to be retained by the Church and for the purposes of the Church. When it is bound in the Prayer Book we can no longer exact that royalty unless we determine to exact a royalty also on the Prayer Book. That is one of the motives for deferring the incorporation of this Hymnal into what we call the Prayer Book until the next General Convention. We hope the

Church will say, so far so good; and if afterward hymns are produced which the sentiment of the Church desires, the Church will find the way to adopt them.

The Rev. Mr. GASMANN, of Nebraska. I rise to speak on this question because it interests, or should interest, every man in this Church to the very inmost and uttermost depths of his soul. Why? Because we are about to accept or reject the Hymnal, and that Hymnal, in the Providence of God, will make, or, if the Church can be unmade, unmake the Church in this country.

A report comes to this House from a committee appointed three years ago, in the shape of a Hymnal, a bound book containing several hundred hymns. That book has been before this House simply for two days, and there is not one single member in this House, able as he may be, be he doctor, be he priest, or be he layman, who has been able to examine it; and yet what are we about to do? We are about to place upon it our veto, or to accept it as the songs of praise of this Church; and, if we accept it now, I say it will be the songs of praise of this Church perhaps forever. Now, shall we proceed rapidly in a question so important? Shall we, because the men who have constituted this committee are perhaps the noblest men we have in the Church, allow the voice of the Church to speak, and speak rapidly, hastily? I say no. For God's sake, let us keep this question open for the next three years,—yes, for the next ten years. I am not afraid that we shall suffer under the present state of things, and I tell you that we have not suffered. There may have been diversity of choice in the Church, and I thank God that there is diversity of choice. I thank Him most humbly that we are not all as if clods of clay made in the same mould. There are diversities of mind, there are diversities of taste, there are diversities of gifts, and these gifts, and these tastes, and these educations which we have all had, differing as far as the nationalities of which we are composed differ, have spoken, and we have, as the result of that speech, the Hymnal which is before us. Shall we accept this Hymnal as the perfect expression of the American Church? Shall we accept it as a thing that cannot be bettered? I say no; but let us keep it in our hands; let us, as the eloquent deputy from Wisconsin said, sing it, let us pray it, and let us examine it by all means, carefully, rigidly, and with every faculty that we have, before we accept it, and I say you cannot do that in less than three years; and then when again in three years' time, in God's providence, we assemble, or the General Convention assembles—for I do not presume to say that I shall be here—then, and not till then, can it speak intelligently upon this momentous question.

Several DEPUTIES. Question. Question.

The Rev. Mr. PORTER, of South Carolina. Mr. President, I do not often trouble this House, but I hope and trust that every gentlemen here who has anything whatsoever to say on this most important subject, may have the opportunity to say it. In the last ten days we have been engaged at times for two hours on a mere parliamentary question, on some trifling question of very little moment or interest to the Church. I think that, while the members of this committee have an opportunity to say all they wish, other gentlemen on this floor should not be shut out. If there is any layman or presbyter here who has anything to say on this most important question—next to missions, the most important question that can come

before us—I trust that the courtesy of this distinguished body will allow that man to say it, even if he is a bore sometimes.

Mr. CHURCHILL, of Kentucky. Mr. President, I have not been in the habit of troubling this House, but I have a word to say now. Since this debate commenced, I have been strengthened in my conviction, that the delegate from Wisconsin has taken the true position, and I have felt much more impressed with that truth since I heard the remarks of the chairman of the committee, who made this report. If we adopt this report, the question is settled forever, this new Hymnal is adopted, and we can then use no other hymns whatever, except those in this book and those which are bound up with the Prayer Book, all others are barred to all the congregations in the country. The chairman confesses that, although this new Hymn Book is not to be bound up with the Prayer Book for the next three years, that is not for the purpose of giving this body an opportunity to consider the question at the next Convention, but merely from considerations of finance. If we adopt the report now, the thing is settled; it will have gone from us. When finally adopted by the House of Bishops and by this House, you can only repeal it by the concurrence of the House of Bishops, and the concurrence of the clergy, and the concurrence of the laity. It will require the concurrence of all three to repeal this action, if we now adopt the report of the committee.

I appeal to members, what harm can result from the adoption of the amendment proposed by the deputy from Wisconsin. That amendment is to adopt this report provisionally for three years. Then, for three years every congregation in the United States will be allowed to use this Hymnal. In that time the various members of the Church can find out what hymns are objectionable and what hymns there are to which objection cannot be made. I have not had time to read this book; probably not one member out of ten in this House has read three hymns in it; and yet we are now called upon to adopt it for all time.

We all know that the next Convention can repeal anything we do. We cannot tie the hands of a succeeding Convention; but, when we adopt a thing as a finality, it is very difficult to repeal it, because it requires the Bishops, the clergy, and the laity, all to concur in the repeal; if, however, we adopt it only provisionally for three years, all of us in that time can have an opportunity to examine this book, it will become familiar to the churches throughout the United States; and we can then act upon it more understandingly.

Mr. CARTER, of Maryland. Mr. President, I have been as loath to take part in this debate as any member on the floor. I did try to catch the eye of the Chair earlier in the debate, just before the lay delegate from Alabama spoke; but, as he spoke so much, in my poor judgment, to the point, and made almost precisely the argument which I had intended to address to the House, acting upon the rule that when a thing has been once said, no matter by whom, it does not need repetition before this intelligent body, I forbore, for two hours at least, making any attempt to submit the argument which I had proposed to make. I should not trespass upon the House at this time had it not been that the debate has run on at this length, and if the gentleman who has just taken his seat had not reiterated, over and over again, what has been so often argued by clerical deputies upon this floor, and every word of

which was so well answered by the lay deputy from Alabama.

Now, Mr. President, what is the question before us? Let us confine our minds to the thing which we have to decide. What is it? It is not the whole question of the adoption of the Hymnody. It is simply, will the House adopt the amendment of the clerical deputy from Wisconsin? He proposes to amend the first half of the first resolution that came down from the House of Bishops, which is that this Convention adopt the Hymnody as reported from the Committee. The question whether any other Hymnody shall be prohibited is not now before us.

If the amendment of the clerical deputy from Wisconsin be adopted, the result would be to adopt the Hymnody as reported by the committee, but only to last until the assembling of the next Convention. It will therefore be the Hymnody by law established from now until the next General Convention. The simple question before the Convention is, shall that amendment be adopted. In order to determine that question, you must see how it differs from the original resolution as reported by the committee. If it be true that that amendment, if adopted, does not practically make any difference as to the provisional character of the Hymnody, there is no reason for its adoption. Now, suppose the amendment is not adopted, what will be the state of facts with reference to this Hymnody? If it is not adopted, will this Hymnody stand as the perpetual Hymnody of the Church? Not at all. The whole argument of the clerical deputy to whom I am replying, and the whole argument of many of my clerical friends in favor of the amendment, is, that if you pass the resolution without the amendment, you stereotype into the law of the Church that which hereafter cannot be annulled, or changed, or obviated in any way. It is not so.

Mr. CHURCHILL, of Kentucky. Allow me to correct the gentleman. As I understand the amendment, it does not make this Hymnal the law of the Church, that is, it does not force it on the Church for three years, but merely makes it permissible.

Mr. CARTER, of Maryland. No, sir; the gentleman misunderstands the amendment. The only effect of it is to make this Hymnal the law of the Church from this time forth up to the meeting of the next Convention.

The Rev. Dr. ADAMS, of Wisconsin. The gentleman will permit me to say that the resolution before us simply is, that the Hymnal reported "be authorized for use in this Church," and then my amendment is "provisionally until the next General Convention," and the succeeding part of the proposition, which we are not debating, is the forbidding the use of any other.

Mr. CARTER, of Maryland. That is it exactly. The amendment is only to add to the words of the Committee the words, "provisionally until the next General Convention." That is to say, it shall have the force which the words of the Committee give, until the meeting of the next Convention. If you pass the resolution without the amendment, you say that from this day forth this shall be the Hymnal of the Church. If you adopt the amendment, what is the consequence? That this is to be used in the interval between this time and the assembling of the next Convention, so that the objections stated by the clerical deputy from Long Island fall to the ground with reference to that. The same objections with reference to the difficulty of supplying congre-

gations with these books will apply to the amendment, because under the amendment, as well as under the original resolution, this Hymnal, and this alone, with the exception of those hymns now in the Prayer Book, will be the authorized Hymna until the meeting of the next Convention.

The Rev. Dr. ANDREWS, of Virginia. If the gentleman will give me the floor, I desire, before the hour of three arrives, to move that the debate be continued, notwithstanding the hour for adjournment may have arrived.

The Rev. Dr. LEWIN, of Maryland. Mr. President—

Mr. CARTER, of Maryland. I do not yield the floor to debate.

The PRESIDENT. It is moved that to-day's session be continued until this matter be disposed of.

Mr. McCRADY, of South Carolina. That is a debatable motion. I understand the gentleman from Maryland does not yield the floor in order to allow it to be debated. He must either yield for that purpose, or go on with his speech.

The PRESIDENT. The hour of adjournment has arrived.

Mr. CARTER, of Maryland. I suppose I shall be entitled to the floor on Monday?

The PRESIDENT. I presume so. The House stands adjourned until Monday at ten o'clock.

ELEVENTH DAY.

MONDAY, October 16, 1871.

Morning Prayer was said by the Rev. Samuel M. Haskins, D.D., a deputy from the Diocese of Long Island, assisted by the Rev. W. T. Dickinson Daltzell, D.D., a deputy from the Diocese of Louisiana; and the service was concluded by the Right Rev. W. B. W. Howe, D.D., Assistant Bishop of South Carolina.

The Journal of Saturday's proceedings was read and approved.

DISTRIBUTION OF CHICAGO RELIEF FUND.

The PRESIDENT. I have received a letter from the Rev. Dr. Locke, a member of the House from Chicago, addressed to the General Convention, which I will now read if it be the pleasure of the House that it should be read at this time.

Several DEPUTIES. Read it.

The PRESIDENT. It is as follows:

To my Fellow Members of the General Convention:

The undersigned, immediately upon the receipt of the intelligence of the awful calamity which had befallen Chicago, returned there and found that the reality far exceeded any newspaper reports. The wretchedness and the destruction can never be told. The object, however, of this letter is not to attempt a description of that; but to make an appeal in behalf of those of our Church clergymen who have been left utterly destitute,—the Rev. George Street, the Rev. Jacob Bredberg, and the Rev. C. W. Dorset.

The Rev. Mr. Street is an aged man, who depended upon his little school, and a small salary from occasional services. All is swept away, his home, his library, and he is utterly dependent. The Rev. Jacob Bredberg is the Swedish clergyman; a man of advanced years, whose whole

parish has been obliterated, and who has absolutely nothing. The Rev. Mr. Dorset has lost everything he had, and his parish is totally destroyed, not a house standing within miles. I earnestly ask the members of the Convention to send me some money for their relief. Let it be sent in drafts on any of the chief cities, payable to my order, and I will acknowledge the sums in *THE CHURCHMAN* and in the *Episcopal Register*.

Judge Otis and Mr. Page, both members of the Convention, are immense losers.

The Rev. Dr. Thompson's parish has been utterly destroyed, church, parsonage, and every building for miles around, and, what to him is a greater loss, the literary labor of years.

My own church and home are intact, but my parish is greatly crippled.

Five of our churches were destroyed: Trinity, Ascension, St. James', St. Ansgarius', and Our Saviour.

Pray for us brethren.

Yours in the brotherhood of the Church,

CLINTON LOCKE,

Rector of Grace Ch. and Delegate from Ill.

CHICAGO, Oct. 12, 1871.

I had two copies made of this letter. I received it on Saturday after the adjournment. The original was yesterday read in Grace Church by the rector, one of the copies was read in St. Paul's Church by the rector, and the other in Emmanuel Church. I presume that all the members of this Convention have now twice contributed to the relief of the distresses produced by that fire; but there was, perhaps, some little precipitate action in regard to the disposition of the funds so raised. I spoke to some of the Bishops, yesterday, in regard to that matter. The \$2,050 which was forwarded as the contribution of the members of the Church here assembled, was, of course, absorbed in the general fund committed to the charge of the Mayor of Chicago, but the sums collected yesterday all over the country can yet receive a different destination, and, perhaps, a more economical one. I find, from the papers, that relief committees from several places have visited Chicago, and that there has been some difficulty about the distribution of the large proceeds which have been sent there, and that those committees have made such arrangements as seemed to them most proper and suitable. It seems to me, under these circumstances, that the contributions, small in comparison with others, which will be made by the Church in its own congregations, should be sent to the Rev. Dr. Locke, to be distributed generally, but with the discrimination which he will be enabled to exercise so as to effect the greatest good.

I see from another paragraph in the papers that the business men of Chicago are full of life and energy, and that it is anticipated that the ravages of the fire in their case will soon be overcome; but the poor clergy, and many others dependent upon them, have no resource, and the contributions which Churchmen give, as such, being but a very small amount of those which most of them give in other relations, it seems to me should receive this disposition. I have therefore drawn up for the consideration of the House this form of a resolution:

Resolved, That the House of Bishops be respectfully requested to suggest, as a supplement to their recommendation of relief to the Chicago sufferers issued last week, the transmission of the proceeds of the offertory yesterday and any funds which may hereafter be collected in our churches for the same purpose, to the Rev. Clinton Locke, D.D., Rector of Grace Church, Chicago, to be applied by him, or under his direction, to the relief of the destitute clergy and people of Chicago.

Through the Associated Press despatches, if any order of this kind is taken by the Bishops, it will reach all the congregations just as promptly as their message of last week did. I submit this resolution to the House.

The Rev. Dr. CLARK, of New Jersey. I would suggest a single amendment to that resolution. There are large numbers of sufferers from the fires that have swept over the prairies. If the words "and other sufferers" were inserted in the resolution, so that the committee having the distribution of the funds contributed by our Church could reach some of those sufferers, which they would not be enabled to do under the terms of this resolution, it might perhaps accomplish a wider good and reach a class of people whom we shall hardly reach through any other agency.

The PRESIDENT. I have no objection to that amendment. My only object is to get the funds in the hands of Dr. Locke and those whom he may associate with him, so as to make a more judicious and economical use of them than will be made of the large fund.

The Rev. Dr. PERKINS, of Kentucky. I move the adoption of the resolution.

The Rev. Mr. ROOT, of Maine. It is suggested by one of the Bishops, at present in the House, that it may be worth your attention to consider whether the distribution should not be placed in the hands of the Bishop of Illinois.

The PRESIDENT. I thought of that; but this Bishop told me himself he should return early in the week.

Mr. WELSH, of Pennsylvania. Before the question is taken I should be very glad indeed to hear from the Michigan delegation, whether there is not a still greater calamity in their State, where the fire has swept over whole districts.

The Rev. Dr. HAIGHT, of New York. I suggest to my friend that that is a totally different question. Let us settle this on its own ground and take up that afterward. It will only embarrass the whole thing.

The Rev. Dr. DeKOVEN, of Wisconsin. I should like to say one word with regard to the resolution. I have been somewhat familiar with a part of the work of the Church which has been going on for some time in the city of Chicago in one respect. There is a solitary Church hospital there, St. Luke's Hospital, started by Grace Church in the first place, but supported by all the churches in the city of Chicago. That hospital, providentially, was not burned. It has just got a local habitation and a

name. There has been procured for it during the past year a very excellent house at a not very extravagant price, which is able to accommodate, I believe, fifty or sixty patients. They have not been able to furnish it fully; but I am told by letters received from Dr. Locke—I do not know whether it was mentioned in his letter which the President read, but I have seen it at least in a private letter—that this hospital is full of persons who have been burned; that the contributions to it have necessarily stopped; and it would seem as though there could be no more blessed appropriation of at least a portion of the funds that are contributed for this purpose than for the assistance of the poor in that hospital. During the long months that are coming they must suffer. It may even chance that it will have to be closed unless something is given for this work during these winter months.

I wish also to say, from personal knowledge, that two of the clergymen who are mentioned by the Rev. Dr. Locke, are men whom I know personally, whom I know to be men of great earnestness, and I feel certain that something ought to be done for their assistance, particularly one of them, who is so advanced in years that he is likely to suffer very terribly from the losses that have been entailed upon him by this fire.

One word in regard to our own sufferings in the Diocese of Wisconsin. If the reports in the papers be true—and they are repeated over and over again—the loss of life in the northern part of Wisconsin, in the neighborhood of Pishtigo, and the other shore of Green Bay, has been very much greater than in the city of Chicago. I have seen it stated that twelve hundred persons have been burned. The fires in that part of Wisconsin must have produced the most awful and terrible loss, suffering, and destitution. I do not wish to say anything about the losses in Michigan, because I suppose some gentleman from Michigan will speak on that subject, but they also ought to command the sympathy and aid of the members of this Convention.

The Rev. Dr. HAIGHT, of New York. I hope the House will confine its remarks to the first point, the point presented by the Chair. No doubt the distress in Michigan and Wisconsin is very great, but the subject now before us is the distress in Chicago; and I would ask my brother from Wisconsin, who has just spoken, whether he knows of a man who can better consider both the subjects which he spoke of in connection with Chicago than Dr. Locke. He knows all about that hospital, and, of course, if it is necessary or desirable to give any portion of these contributions to that hospital, he will do it. He knows all about the other clergy. I think this Convention would be perfectly safe in leaving the whole thing in his hands, and those whom he may associate with him. I hope we shall take the question on one thing at a time, and I see no objection whatever to leaving the whole matter in the hands of Dr. Locke.

The Rev. Dr. McNAMARA, of Nebraska. In the meantime, I move to associate the Rev. Dr. Thompson with the Rev. Dr. Locke. It will be a very great care and a very great business, and I hope the President will accept that amendment.

The Rev. Mr. GREGG, of Illinois. I wish to suggest that the Rev. Dr. Locke, of Grace Church, Chicago, is very active in all charitable work; but would it not be well to have a number of persons appointed to distribute this fund? We see that the mayor of Chicago has had trouble in distributing funds. I move that the Standing Committee of the Diocese of Illinois be appointed to distribute this fund. All the members of the Standing Committee, with one single exception, reside in Chicago, and it would be better, perhaps, to make the Standing Committee the treasurers of this fund. I move this as a substitute, without intending to disparage Dr. Locke in any way. I think he would prefer it, for I feel assured he would be somewhat embarrassed were this fund placed in his hands alone. He is not on the Standing Committee. Or I would say, "The Standing Committee in connection with Dr. Locke."

I would say with regard to the parish of which the Rev. Mr. Bredberg is rector, that it is a poor parish; a Swedish Church; the members of which are mainly laboring men, and I presume they have lost all they had; so that that parish will need a great deal of assistance. I am personally acquainted with the other rector mentioned, and I know that the destitution must be very great.

The PRESIDENT. Will the gentleman from Nebraska accept the proposition of the gentleman from Illinois in place of his?

The Rev. Dr. McNAMARA, of Nebraska. I would rather have Dr. Locke and Dr. Thompson, as they are personally deeply interested in the matter.

The Rev. Dr. McMASTERS, of Minnesota. I have no doubt in my mind that the Rev. Dr. Locke and the Rev. Dr. Thompson together, according to the suggestion of my friend from Nebraska, will be able to attend to this matter better and more expeditiously than the whole standing committee could do. I think Dr. Locke would be pleased to have some one associated with him. There is no man more efficient than the Rev. Dr. Thompson. They will work in entire harmony and the matter will be disposed of without conflict. The Standing Committee is too large a body for this purpose. I should prefer that the amendment of my friend from Nebraska should be accepted.

The Rev. Mr. FARRINGTON, of New Jersey. I suggest that, inasmuch as the name of the Rev. Dr. Thompson is proposed to be added, we also add the name of Judge Otis. These two clergymen and Judge Otis were deputies in this Convention. By this providential dispensation they have been compelled to return home. They are now there in the city and it would be grateful to them, I am sure, to act as almoners of the Church in dispensing the funds which they may receive.

The PRESIDENT. I suppose we may regard this as the second amendment, the motion of the delegate from Illinois being the first.

The Rev. Mr. GREGG, of Illinois. I would say one word more with regard to this matter. As I stated, all the members of the Standing Committee, with one single exception, reside in Chicago, and, as they live in different parts of the city, they understand the condition of those who are suffering and they will be prepared to act when they meet together; they will understand the condition of the different parishes in distress. There is one member of the Standing Committee living some thirty or forty miles away; and he would be able to give his attention somewhat to this matter, and would no doubt be on the ground for the purpose of rendering such assistance as might be necessary. I

feel disposed, under the circumstances, to insist upon my amendment that the Standing Committee of the Diocese, in connection with Dr. Locke, shall be the custodian of this fund.

The Rev. Dr. HAIGHT, of New York. If it goes to the Standing Committee, as a committee, they have got to hold meetings according to their by-laws. You have eight men; you have got to have a meeting, you have got to have a majority, and you have got to go according to rule. If you leave it to three men, as individuals, they are bound by no such fetters. My own opinion is, that it will be a dead failure if it goes into the hands of the Standing Committee.

The PRESIDENT. I will consider the last proposition made, to commit this matter to the Rev. Dr. Locke, the Rev. Dr. Thompson, and Judge Otis, as the last amendment, to be acted upon first. The question is on that amendment.

The amendment was agreed to.

The PRESIDENT. The question is on the resolution, as amended.

The resolution, as amended, was agreed to.

SUPPLEMENTARY DEPUTIES.

The Rev. Mr. SHIPMAN, of Kentucky. I beg leave to report from the Committee on Elections, that the certificate of election of Mr. George B. Warren, a supplementary deputy from the Diocese of Albany, has been examined and found in due form. Mr. Warren takes the place of Mr. G. Pomeroy Keese, to whom the House granted leave of absence for the remainder of the session last week.

NEW DIOCESE IN PENNSYLVANIA.

The Rev. Dr. HAIGHT, of New York. The Committee on Canons beg leave to present a report, touching the case of the new diocese in Pennsylvania, and my colleague, Judge Sheffey, has been requested to read the report, and to explain the measures which the committee recommend for the consideration and adoption of this House.

Mr. SHEFFEY, of Virginia. I will read the report:

The Committee on Canons have had under consideration message No. 9 of the House of Bishops; and in order to dispose of the entire subject of the admission of the new diocese within the limits of the Diocese of Pennsylvania, the committee have instructed its Chairman to move that the House take up for consideration and action Message No. 2 of the House of Bishops, returned to this House, and move the adoption of the following order:

Resolved, That the House of Bishops be informed that the House of Clerical and Lay Deputies concur with the House of Bishops in their message No. 2, with the following amendments:

First, That this act of ratification take effect as of the 6th day of October, 1871; and that all acts of the Bishop or other ecclesiastical authority of the Diocese of Pennsylvania which may have been done with a view to the organization of the new diocese, be, and the same are hereby, sanctioned, ratified, and confirmed; and,

Second, That the union of said new diocese with the General Convention take effect from and after Wednesday, the 8th day of November, 1871; and that the name of the said new diocese be determined by the Primary Convention thereof, with the consent of the Bishop of Pennsylvania.

And the committee further recommend the adoption of the following amendment to Canon 6, Title III., to constitute Section 4 of said Canon:

"Whenever the formation of a new diocese shall be ratified by the General Convention such new diocese shall be considered as admitted under article 5 of the Constitution so soon as it shall have organized in Primary Convention in the manner prescribed in the previous sections of this Canon; and the naming of the new diocese shall be a part of its organization."

It will be remembered by the House that there was an error committed in sending the message of concurrence on the part of this House with the message No. 2 of the House of Bishops. At the request of this House, the House of Bishops have returned message No. 2 to the charge and control of this House. That message No. 2 simply provided for the ratification of the action of the Convention of Pennsylvania in respect to the new diocese, but did not provide for the time of its admission or the naming of the diocese.

To supply that defect the House of Bishops, after this House had seemed to concur in its first order, sent us a second message declaring that the new diocese should be admitted into union with the General Convention on the 8th of November, 1871, and that the name of the new diocese should be determined by the Primary Convention with the consent of the Bishop of Pennsylvania. It will be remembered by the House, that there was a good deal of debate on this subject, some gentlemen contending that the Bishop should have nothing to do with the naming of the new diocese. In committee, however, we were advised that all parties would concur in the ratification of what the Bishops proposed in their two messages, if thrown into the shape of a single act, provided that it should be the pleasure of the Committee to recommend a Canon to remove these conflicts in future; and, therefore, the Committee have recommended, first, concurrence with message No. 2; but something more was needed, as under the colorable authority of our action, apparently given through the course of our Secretary transmitting message No. 2, the Bishop of Pennsylvania proceeded to issue his proclamation convening a convention in the new diocese to be held on the 8th of November, 1871. That, as it seems, was an unauthorized act. Hence, the curing clause of our first amendment, "that the act of ratification take effect" retroactively, "as of the 6th of October, 1871," the date at which it was thought to have been concurred in; "and that all acts of the Bishop, or other ecclesiastical authority of the Diocese of Pennsylvania, which may have been done with a view to the organization of the new Diocese be ratified and confirmed. That is to cure any objections on that score. And, by way of second amendment to this first message, the Committee recommend the adoption of the substance of the Bishop's second message No. 9, as an entire act; that is to say, that the union of the diocese shall take effect on the 8th of November, 1871, and that the name shall be given by its Primary Convention with the consent of the Bishop; but that as the law of the Church in all time to come, the Canon shall be amended so as to provide that, after the promotion of a new diocese shall be ratified by the General Convention, the new diocese shall be deemed in law to be admitted in union with the Church under Article V. of the Constitution; so soon as it shall have organized in Primary Convention in the manner prescribed in the previous sections of Canon 6, and that the naming of the new diocese shall be the act of that Primary Convention in its organization.

The only change from the usage produced by this Canon will be that the Convention of the new diocese will name the diocese for itself, and that it will not be

dependent upon the consent of the Bishop. I understand that the Canon modified in that way is with the consent of all parties involved in this particular controversy.

I think I have explained the motives of the Committee fully to the House. I, therefore, now move that the House take up message No. 2, returned from the House of Bishops, and proceed to consider and act upon it as recommended by the Committee on Canons, and then I will move the order of the Committee as an amendment to that message.

Mr. KING, of Long Island. I second that motion, and trust it will pass without debate. I think it meets the views of all gentlemen in this House.

Mr. SHEFFEY, of Virginia. I am requested by a clerical deputy from Maryland, to state the distinction between what is called the formation of a diocese, and its admission into union with the General Convention, as that distinction has been the occasion of the difficulties connected with this matter. It is held by one class of thinkers that the act of organizing a diocese, being the act of the convention in the diocese proposed to be divided, the act of organization being subject to ratification by the General Convention, that ratification when given simply is as to the organization of the diocese, but that it requires a separate and distinct act of the General Convention, either by general canon or special provision, to admit the new diocese into union with the General Convention. This canon does not disturb the mode of organizing a new diocese, but simply supplies as law that which has been usage in the mode of admitting it into union with the General Convention by declaring that after the terms of the Canon and Constitution have been complied with and the new diocese is organized and the General Convention has ratified the act of organization, *ipso facto*, without further act of the General Convention, the new diocese shall become admitted contemporaneously with the organization of the new diocese in its Primary Convention and it will not require any further act on the part of the General Convention.

Mr. BURGWIN, of Pittsburgh. Mr. President, as the report of the Committee on Canons is the result of an attempt on both sides to harmonize differences of opinion which were so apparent when the matter was up for discussion, I hope the report which they have presented will be accepted, and the action which they recommended be adopted without further debate; and if it be in order I would suggest and move that we take the vote as a whole, both upon the action which they recommend as to the two messages which we have received from the House of Bishops, and also upon the amendment to the canon because the two actions which are recommended make a whole and ought to be adopted as a whole. If therefore it be in order, I move that we take a vote on the action as a whole.

Mr. COMSTOCK, of Central New York. I am prepared to accept that report as a whole and therefore agree to that suggestion.

The PRESIDENT. I suggest that the motion made by the deputy from Virginia reporting this measure from the Committee on Canons would be the most orderly way of doing the thing. The report from the Committee on Canons is accepted as a matter of course. Now the motion is to take up the message No. 2 returned from the House of Bishops.

Mr. BURGWIN, of Pittsburgh. If I understand it the Committee on Canons recommended a series of resolutions with regard, first, to concurring in the action of the Bishops; secondly, with regard to the

adoption of a Canon or an amendment to a Canon. I do not know—perhaps I am not sufficiently acquainted with parliamentary rules to know—whether we cannot take a vote upon the whole as a whole, or whether we must necessarily divide our action by first acting upon the recommendations of the Committee in regard to the message of the House of Bishops, and then go on and act upon the Canon. If we can act upon the report as a whole, I would very greatly prefer it, because it is as a whole the result of an attempt to harmonize those differences of opinion which have been apparent. I think the House will better carry out the recommendations of the Committee on Canons by voting upon the report just as it is presented to us.

The PRESIDENT. That I understand to be the purpose of the deputy from Virginia in making his motion; but, in order to make it in conformity with the rules of the House, he wishes to bring up the message which we asked for, and have that before us, together with this report.

Mr. SHEFFEY, of Virginia. I have moved to take up the message No. 2.

The PRESIDENT. The question is on that motion.

The motion was agreed to.

Mr. SHEFFEY, of Virginia. I now move to concur with the message of the House of Bishops, with the amendment set forth in the resolution reported by the Committee on Canons.

Mr. McCRADY, of South Carolina. I wish to ask one question for information, and that is, how there can exist a diocese separate from all other dioceses, that never has had a Bishop. If it has had a Bishop, then I can understand that the death of the Bishop does not vacate the diocese, but I have always understood that a diocese was formed by a Bishop. I do not mean to debate it; I merely put the question. It may strike other people as it does me.

Mr. STITH, of Mississippi. I am very anxious to bring myself to the conclusion that whatever the Committee on Canons determine on, should be adopted by the House; but there are one or two points that present themselves to my mind, which present almost insurmountable difficulties; and yet they may perhaps be easily got rid of. One is the clause in reference to the naming of the diocese. The Constitution expressly says that when a new diocese is created it shall be subject to the Constitution and Canons of the diocese out of which it was formed until the new diocese shall deem proper to change them. If the Diocese of Pennsylvania gives to its Bishop the right of a negative upon its action, then he has it. If the Constitution and Canons of the Diocese of Pennsylvania deny that negative to the Bishop of Pennsylvania, I should like to know how we, sitting in this body, can go forward to amend the Constitution and Canons of the new diocese, because the Constitution and Canons of the Diocese of Pennsylvania, are for the time being the Constitution and Canons of the new diocese. How can we undertake to amend them and give him a right which the Constitution and Canons of the new diocese do not give him, because the Bishop of Pennsylvania, until the Diocesan of that new diocese is elected and consecrated, is the Bishop of the new diocese,

subject to all the provisions and regulations of the Constitution of that diocese, and I do not see what right this body has to alter, amend, or change that Constitution and those Canons so as to give the Bishop a power which they deny. I do not know how it is in fact, whether the Constitution and Canons of Pennsylvania give the right or not, but we seem to forget that we are trampling on the rights of dioceses. It is said that this is according to precedent; but precedent is of no authority when it is in violation of positive law. If so, we could find precedents for every violation of law on the face of the earth; we could find precedent for murder, but murder is not lawful, because it is in violation of law. Precedent is nothing, except when it is in conformity to law, and I, for one, am not willing to impose on any diocese that which we have no right to impose.

As to the particular question involved here, I have no interest; I feel no concern. I do not know how the matter stands as to the wishes and desires of the parties concerned; but I look upon it as a great question involving the right of the diocese to have its own Constitution and Canons enforced as they stand, and that we have no right to impose new provisions in them.

There is another view of the question which strikes me with much force; but as to that I should not be so earnest, and that is this; the Constitution provides that when the formation of a new diocese is ratified, the Bishop shall go forward forthwith to call the Convention of the new diocese for the purpose of organization. In a section of the Canons it is provided that the Standing Committee, in case there is no Bishop, shall call the Primary Convention immediately. It has been suggested that there can be no diocese without a Bishop. That is a strange idea to me. It has been suggested again that there can be no diocese without a name. That is still more strange. When you bring a child to the font to be baptized, is it not a child till it is named? and when we propose to create a new diocese, have we got to baptize it with a name before we have the diocese? Or, in other words, can you name a thing that does not exist? You must have the diocese before you can name it. The very moment this Convention ratified the action of the Convention in Pennsylvania creating the new diocese, and specifying its boundaries, that diocese sprang into existence with all the powers and privileges of any other diocese, except that it was not admitted into union with this Convention. That may be reserved for a subsequent act; but, as to the existence of the diocese, I do not see how we can get behind our action and blot it out after once creating it. The diocese is created, it is perfect in all its parts, it has its Bishop. It has been suggested that it has no Bishop, but I say it has under the Constitution and Canons of this Church, a Bishop. The Bishop of Pennsylvania continues to be the Bishop of the new diocese until one is elected and consecrated. It has a Constitution and Canons, because the Constitution and Canons of the Diocese of Pennsylvania continue to be the Constitution and Canons of the new diocese until it shall see proper to alter them.

It is true we may not have proceeded with all due formality in concurring in message No. 2 of the House of Bishops, the other day: but this House recognized that as its action, it sent it to the House of Bishops as a concurrence in that message, and, so far as the creation of the diocese itself is concerned, it seems to me that was an end of the matter. Now we can say that that new diocese shall be admitted into union with this Convention on the 8th of November, or any other time, but we have given our consent to its creation, and they must go forward and organize.

The Rev. Mr. Farrington, of New Jersey, obtained the floor.

The PRESIDENT. Having the opportunity of looking over the House, and the business of it, I beg to say that we are not a Congress of the United States, with a nine months' session before us. The time when a majority of this House will certainly go home is rapidly approaching, and gentlemen ought to try and trust the intelligence of this House to understand that when a thing has been pretty thoroughly discussed, it does understand it, and not repeat over and over again the same discussion from day to day.

The Rev. Dr. FARRINGTON, of New Jersey. Mr. President—

Several DEPUTIES. Question. Question.

Mr. MUDGE, of Massachusetts. In connection with this subject, I would bring to mind the fact that the report of the Committee on New Dioceses which was brought in here on this subject was given the go-by at once; as it seemed to me, being a member of that committee, without any consideration. I think if the chairman of that committee should read that report, gentlemen would find that it is substantially the report now brought in by the member from Virginia; and we have wasted, in my opinion, two whole days on this subject because that report was not properly considered.

The Rev. Mr. FARRINGTON, of New Jersey. If the question can be taken I will not speak. [Question. Question.]

Mr. BURGWIN, of Pittsburgh. Is my motion in order, that we take a vote on the report as a whole?

The PRESIDENT. That is the motion.

Mr. CARTER, of Maryland. I do not think there are many members in the House who understand anything about the question we are now going to vote upon.

The PRESIDENT. The gentleman from the Committee on Canons who made the report will please state the question as distinctly as he can.

Mr. SHEFFEY, of Virginia. I ask the member from Maryland whether he was in when the statement was made?

Mr. CARTER, of Maryland. I listened to every word of it.

Mr. SHEFFEY, of Virginia. I must say then that the defect, in my humble judgment, was not in the statement, but in the member. [Laughter.] The motion now is to concur in the message of the House of Bishops, which has been returned from the House of Bishops in compliance with the request of this

House. The effect of that return is to place that message before us for concurrence or nonconcurrence. The Committee on Canons recommend concurrence with that message under the following resolution, which, as I understand it, is the question now before the House:

Resolved, That the House of Bishops be informed that the House of Clerical and Lay Deputies concur with the House of Bishops in their message No. 2 with the following amendments: First, that this act of ratification take effect as of the 6th of October, 1871, and that all acts of the Bishop or other ecclesiastical authority of the Diocese of Pennsylvania which may have been done with a view to the organization of the new diocese be, and the same are hereby, sanctioned, ratified, and confirmed. And second, that the union of said new diocese with the General Convention take effect from and after Wednesday, the 8th day of November, 1871; and that the name of the said new diocese be determined by the Primary Convention thereof with the consent of the Bishop of Pennsylvania.

After the House has acted upon that amendment and concurred in the Bishops' message No. 2, then the committee recommend that that action be followed up immediately by adopting a new section to Canon 6, Title III., so as to remove this matter from future contest on the floor of this House. It is to this effect:

"Whenever the formation of a new diocese shall be ratified by the General Convention, such new diocese shall be considered as admitted under article 5 of the Constitution, so soon as it shall have organized in Primary Convention in the manner prescribed in the previous sections of this Canon; and the naming of the new diocese shall be a part of its organization."

I would say to the member from Pittsburgh, that it is necessary merely in the order of business that these motions shall be put separately; but the House doubtless will unanimously concur in the adoption of the amendment by Canon after it shall have concurred in the recommendation of the committee in respect to message No. 2. It is a matter of necessity that the questions should be put separately, and I therefore ask my friend to forbear insisting upon a motion, which any member on the floor can have separated by a division, and which would be very illogically put as an amendment to this message of the House of Bishops. The two questions must be kept separate and distinct.

The Rev. Dr. LEWIN, of Maryland. I cannot let the question be taken unless I understand what it is.

The PRESIDENT. If there is to be debate, the gentleman from New Jersey is entitled to the floor.

The Rev. Mr. FARRINGTON, of New Jersey. I did not intend to make a long speech. I desire to vote for this plan, but the deputy from Virginia alluded to the organization of the diocese at the Primary Convention, and referred to Canon 6 as containing provisions for the organization of the diocese at the time of the Primary Convention. I

did not find anything in this Canon 6 pertaining to that point. It seems to me that the language of the Canon simply refers to the organization of the Convention: "Shall thereupon call the Primary Convention of the new diocese for the purpose of enabling it to organize"—what—the Convention?—"and shall fix the time and place of holding the same." That all seems to me to refer, not to the organization of the diocese, but simply to the calling of the clergy and laity together in the new diocese thus set up and erected by the concurrent action of this body; and they meet there for what purpose? Not to organize the new diocese, but to organize the Convention of the diocese. In the margin of the Digest I find opposite this Canon, "Primary Convention."

The PRESIDENT, *pro tem*, (the Rev. Dr. Haight, of New York). The hour for the order of the day has arrived.

Mr. KING, of Long Island. I move that the order of the day be suspended until this question is disposed of.

The PRESIDENT, *pro tem*. For how long?

Mr. BURGWIN, of Pittsburgh. Say ten minutes, and that the vote be taken at the end of ten minutes on the report of the Committee on Canons.

The PRESIDENT, *pro tem*. It is moved that the order of the day be suspended for ten minutes, and that at the end of nine minutes the vote be taken on the question before the House.

The motion was agreed to.

The Rev. Mr. FARRINGTON, of New Jersey. I give way to other members who may desire to speak in the nine minutes.

Mr. DEROSSET, of North Carolina. I am very desirous of voting in the affirmative, but I want to ask one question to satisfy me: otherwise I must vote in the negative. Why does the committee recommend in the case before us that the consent of the Bishop of Pennsylvania shall be given to the name, while no such provision is made in the proposed Canon to regulate such cases hereafter.

Mr. SHEFFEY, of Virginia. The member will remember that it has been insisted upon that this has been heretofore the usual mode in which new dioceses have been carved out of existing dioceses, and it was insisted by the members representing the Diocese of Pennsylvania proper, that the consent of their Convention, though not expressed upon the face of the act, was given with the understanding that the usage heretofore existing should apply in this case to the naming of the new diocese; that it should be confided to a convention of the new diocese with the Bishop of the old, and in order to carry out that understanding, and by the consent of all parties concerned in the old diocese and in the new, this power is for this one time, and for this one time alone, to be lodged in the Bishop of the old diocese, as carrying out the moral understanding that existed at the time the Convention agreed to divide the diocese, but that in all time to come the thing shall be as provided for in the new section of the Canon.

Mr. DEROSSET, of North Carolina. I am perfectly satisfied.

The Rev. Dr. LEWIN, of Maryland. I regret very much to have to insist upon my right, but I do it in behalf of myself, as well as the other members of the House. This is an important question, and it strikes me that the report of the Committee on Canons, as last brought in, means just this, that we concur and do not concur in the message of the House of Bishops.

Mr. SHEFFEY, of Virginia. Will the member allow me to say a single word?

The Rev. Dr. LEWIN, of Maryland. Certainly.

Mr. SHEFFEY, of Virginia. We do concur in one message with the two requests of the House of Bishops contained in message No. 2 and message No. 9.

The Rev. Dr. LEWIN, of Maryland. But message No. 9 is not under consideration.

Mr. SHEFFEY, of Virginia. It is under consideration covered by this very report.

The Rev. Dr. LEWIN, of Maryland. Very well. But I want to know what right this Convention has to fix any time when this diocese is to go into existence, when, by the Fifth Article of the Constitution, we are simply a concurrent body. No more had the Diocese of Pennsylvania, having given consent to the formation of the new diocese, a right to fix the time. No more had the Bishop, when he gave his consent to the action of the Diocese of Pennsylvania, a right to fix a time when it is to go into existence, than has this Convention any such right. The diocese goes into existence when it organizes itself, and only then. It is formed, it is true, completely formed, but it has no independent existence until it is organized. I began with this, and I contend it is sound constitutional law. What right, then, has this General Convention to go outside of the power given it by the Constitution? If it has, the Diocese of Pennsylvania and the Bishop of Pennsylvania, had also that right. They certainly had not, nor has this body. We may have got into a difficulty, but I am not, when I am in a difficulty, disposed to pass over the bounds of the Constitution in order to accomplish what I wish.

The PRESIDENT. The question is on the resolution submitted by the Committee on Canons.

The resolution was agreed to.

The PRESIDENT. The question now is on the adoption of the proposed Canon reported by the committee.

Mr. BURGWIN, of Pittsburgh. I move that that be adopted.

The Canon was adopted.

COMMITTEE APPOINTMENTS.

The PRESIDENT appointed Mr. W. G. Harrison, of Maryland, to fill the vacancy on the Joint Committee to confer as to the report of the Committee of Bishops on Ritual Uniformity; and the Rev. R. W. Trimble, of Arkansas, as a member of the Committee on the State of the Church.

THE HYMNAL.

The House resumed the consideration of message No. 21 of the House of Bishops relative to the Hymnal, the pending question being on concurring in the first branch of the first resolution of the House of Bishops, viz. :

Resolved (the House of Clerical and Lay Deputies concurring), That the Hymnal reported by the Joint Committee of the General Convention be authorized for use in this Church.

The PRESIDENT. On this question the lay deputy from Maryland [Mr. Carter] is entitled to the floor.

Mr. CARTER, of Maryland. I had not intended in any event to detain the Convention but a very few moments longer, but if I had had such an intention, I should certainly part from it inasmuch as I see that the Convention is very anxious to act upon business. I am just as anxious as any one in the House to follow that example.

The simple question before us is, shall the amendment of the deputy from Wisconsin [the Rev. Dr. Adams] be adopted? I will state in a very few words what seems to me to be the gist of the matter, and the reason why that amendment should not be adopted. If the resolution is passed as it came from the committee, the consequence will be that we shall have a Hymnal which will be operative from the time named in the resolutions onward forever until in some respect it is changed by the action of the Convention. Now I regard that as a great desideratum that we should be able to have that as a whole which we all desire, an authoritative Hymnal. If that course be adopted, therefore, when the next Convention meets, the Hymnal as thus adopted, will be the Hymnal of the Church. On the first day of the meeting of the next General Convention, that will be the lawful Hymnal of the Church, as it will be from this time to that, and if there are amendments to be made to it, they will have to be made by the substantive vote of the next General Convention. The advantage of that is this: you have the Hymnal adopted as a whole, and if in the interim between this time and the meeting of the next General Convention, either the general voice of the Church, or the voice of any particular diocese of the Church, or the opinion of any individual member of the Church, shall have been fixed upon some hymn, or some verse of a hymn therein incorporated, which is objectionable either to the whole Church or to any particular part of the Church, then if the General Convention agrees that that particular hymn or part of a hymn should be struck out, the Hymnal having been adopted as a whole, is subject to that amendment, and the consequence will be that instead of having the whole subject of all the five hundred hymns confessedly before us, and debating whether this hymn and that hymn shall be amended, we shall have a Hymnal established and the objections will be pointed and limited to any particular hymn that is held to be objectionable in the whole collection.

You perceive, therefore, Mr. President, how orderly will be such a proceeding. The Hymnal being adopted as a whole (because, as I understand, everybody concurs that taken as a whole it is a good Hymnal), you will then have the particular objection to any particular hymn, and the debate will be limited to that.

If, however, the amendment of the deputy from Wisconsin be adopted, what will be the consequence? This Hymnal will have the force of law from now till the next General Convention, but the moment the next General Convention is organized, it falls to the ground; there is no Hymnal then, and you will have to go to work in the next General Convention to re-enact this Hymnal, if it is desirable to re-enact it, and the consequence will be that the whole subject will again be open to debate, not on the particular merits or demerits of any particular hymn, which would be perfectly lawful and legitimate, but whether we shall have any Hymnal, and if so, whether it shall be the Hymnal thus reported.

I respectfully submit, therefore, and with this I conclude, that if you pass the resolution in the shape in which it is reported from this committee, you have the power at the next General Convention to eliminate from that book any hymn that is objectionable, or a dozen hymns if you choose, or to add something more if you please, while if you do not do that at this Convention, but adopt it only provisionally, that is, to operate from this time up to the next General Convention, when the next General Convention assembles, we shall then have no Hymnal and shall have to go to work to establish one and will not be limited, but if you pass the resolution as it come from the committee, you limit the action to striking out the objectionable part.

Mr. BARBOUR, of Virginia. Mr. President, heeding your statement as to our limited existence and the temper of the House as just displayed by its vote, I shall heartily adopt the almost canonical exordium in saying that I shall only detain the Convention a few minutes.

It was not my good fortune, Mr. President and gentlemen of the Convention, to hear the debate on Saturday; or at least I heard only a small portion of it; but since coming into the House I have found the admirable, and I suppose very accurate, report of that debate, and upon reading it there is a deep conviction on my mind that we should adopt this Hymnal. First, we have the statement of the reverend chairman of the committee that for fifteen years he has been engaged upon it. We have also the endorsement of our right reverend fathers, the House of Bishops, and it seems to me, as far as authority can go, that ought to settle the point.

But, gentlemen, there is another reason. We may well despair if we do not adopt the Hymnal. I shudder to think of the avalanche that will come after three years more, as I may say, either upon our own devoted heads or those of our innocent successors. We shall have a flood, an intensified flood of what Sheridan once said was levelled upon his own poor rhetoric; that is, we shall have spe-

cial pleading upon metaphors and bills of indictments against tropes.

I have heard some objections to this Hymnal, not very serious ones, but I have also heard some that I desire to speak to. In the first place the reverend deputy from Pennsylvania [Dr. Goodwin], saw, or thought he saw, in the 206th Hymn, something leading towards a belief in the Real Presence; and yet, gentlemen, if we subjected our own Communion service to that over-curious and close criticism, we should expel the very declaration with which the minister performs the sacrament of Our Lord's Last Supper.

Again, the reverend delegate from North Carolina [Dr. Mason], with pious persistence I may say, presented his protest against that line which says, "By Thine hours of dark despair," invoking Divine sympathy, or, as it is toned down by the committee in saying, "By Thy conflict with despair." Gentlemen, I approach this point with diffidence and with reverence, I may say, almost with awe; but when I remember that our Lord assumed our humanity, I am delighted to think that He could share that anguish, that despair, which sometimes falls upon our souls. How else then shall we read that awful declaration: "And about the ninth hour Jesus cried with a loud voice, saying, Eli, Eli, lama sabachthani? that is to say, My God, my God why hast Thou forsaken me?" Is not this a conflict with despair?

But, sir, I will not multiply these examples. I have heard many; these are the more serious. I have heard others which I could only class with that criticism which Warburton made upon the well-known line of Milton, which has been a benefaction, as I think, to the world, when he spoke of "Not light, but darkness visible." Warburton proposed to make it, "Not light, but a transpicuous gloom." [Laughter].

Gentlemen, these are the class of emendations that are proposed. I therefore humbly submit that we should adopt this Hymnal, both from the care that has been bestowed upon it, the sanction that it has received, and the fact that if it be not adopted we have reason to fear that it will be with us in singing as it was with Israel when there was no King, but every man did that which was good in his own sight, every man to sing his own songs, and we have only to recollect that one gentleman has 17,000 and another 25,000, 42,000 altogether. [Laughter.]

The Rev. Dr. McMASTERS, of Minnesota. Nearly all the reasons why this Hymnal should be adopted now have been stated by different gentlemen. We have been fifteen years about it. Therefore it will not have been a hasty performance if we adopt it now. There is no presumption that any Hymnal will ever be produced that will be universally accepted and free from criticism. One thing is very certain: as long as we keep the door open for criticism, criticism will be abundant. If we adopt this as a provisional thing for three years, when the three years are out there will be as many objec-

tions to it as there can possibly be now; they will probably increase rather than diminish.

But the great point I wish to make is this: It has been urged that this Hymnal should be before the people that they may learn it, that they may study it, that they may use it, that they may become familiar with it, and that they may bear their testimony three years hence. My deep conviction is that if this is adopted only as a provisional thing our people are not going to buy it; it will not come into general use at all. If I go home and tell the people of my congregation that this Hymnal is adopted for three years, but may be thrown away at the end of that time, and advise them to purchase it for three years' use, I think they will not respond; I think there will be comparatively few of the books purchased; they will not become familiar to the great mass of our people, and therefore when the three years are out they will know no more about it than they do now; they will not have had an opportunity to learn to love it; they will have simply waited the three years out until they know whether or not it is the permanent Hymnal of the Church. I think, therefore, it is better decidedly since we have had an able, active, cultivated committee at work for fifteen years, to assume that they have done as well as they ever can do, and to make this our Hymnal now once for all.

The Rev. Mr. LEE, of Kansas. This Convention has not had inflicted upon it hitherto a speech from our deputation. We have kept our places with the meekness of lambs while we have listened to the roars of the kings of the forest. This state of things should not continue.

I wish to say, however, in all sincerity that this is a matter of great importance. I disclaim any purpose of, in the slightest degree, calling in question the motives or purposes of those who either support or oppose the present motion. The subject is too great and important for that. Besides, have we not a common interest? Are we not all brethren? We may not see eye to eye, but do we not feel heart to heart? Are we not working for the same great cause and the same great Master?

But, sir, I cannot but feel that there is danger of a mistake, and a great mistake, in regard to our duty touching the question now under consideration. A hymnal has been proposed to us, drawn up by a committee with great care and labor and patience. If we really need and want a new Hymnal, I ask, shall we ever be likely to find one prepared to our hand better than this.

Further time is asked for. Nine years has the matter been under consideration already. Nine years is a long time in our age, an age when empires are made and unmade in the space of a few months, if not in weeks or days. Three years is a long space of time in our age. Dare we wait, can we wait, on so important a question?

Gentlemen ask time to take this Hymnal to their studies and examine it quietly and carefully. I ask if we can expect to reach better results, even with the acknowledged learning and skill of those who

ask it, than we have now arrived at. If our Right Reverend Fathers of the committee, a Clark with his breadth of learning, the saintly and at the same time scholarly Huntington, the brilliant and refined Bishop of Western New York, with his exquisite Christian culture, the catholic and devout Bedell, together with the well-learned and godly men associated with them, have failed to get the best for us when they have labored under a full sense of their mighty responsibility, labored individually and collectively, diligently, prayerfully for three years, I ask if the random, fitful, irresponsible individual efforts of a few men now members of this body, that may never be again or may be, are likely to arrive at results that will be more satisfactory to the whole Church in any convention in time to come.

Besides, I beg to remind brethren that this is too important a matter for delay. Why is the prayer of the Church a thing so tender that it cannot be touched, and the praise of the Church a thing to be left year after year to the fitful freaks of individual and unguided self-will? Why is uniformity so necessary in the one, while "confusion worse confounded" is allowed to intrench itself in the other? Are doctrine and order so desirable in the one direction, and license and irregularity tolerable and even desirable in the other direction; a direction especially where our affections are most won, where the most potent influence of worship is exerted.

And I must also remind brethren that this is no time for delays and postponements in such important matters. A year now is a long time. Every day now is weighty with great results. The Church has her great missionary career awaiting her. The fields white to the harvest invite her reapers to work for the Master. Her second half century is beginning. Dare we not hope and believe that in the name of her Master she is girding herself to go forth instantly to the great work? And is it wise or safe, at the very start, to leave so important a part of her machinery at loose ends, to send her forth with this party-colored, or rather party-voiced, praise on her lips, singing one set of songs in one place, and another set of songs in another place, to confuse and disturb and divide her new converts and her new churches? I tell you there is power in song, whatever it may be—there is power in the song of the Church.

Gregory moulded for a thousand years the doctrine and worship of the Church by moulding its praises. He did not stand hesitating and postponing when he ought to strike, but sent the nail home and it stayed there. The Wesleys have sung a great part of our English-speaking peoples into their societies by their songs.

The songs of the Church are a matter of the utmost importance. And after all, let me ask again, what can any of us ask for that we have not here in the Hymnal proposed to us? Here are psalms, and hymns, and sacred songs, for all our Church offices and Church seasons, and Church occasions—

not only for old occasions and necessities as they are set forth in the Prayer Book as it now is, but for Harvest Homes and for Ember and Rogation Days, and the Seven Hours, and in great fulness and sweetness. What more can we want? And if we want more, is it likely that we shall ever be gratified in the course of human events?

There are emendations I would make in this Hymnal if I could—lines, verses, whole hymns. So with each of you. If we wait each and all to be perfectly satisfied ourselves individually, can this Convention ever, in the course of years or centuries, expect to adopt a Hymnal for this Church? The hope is illusory.

It seems to me, therefore, that "now is the accepted time." Caution is needed. We have given nine years to such cautious procedure. Care is needed. We have taken two committees of the best men of the Church to bestow care and labor upon this question. To delay longer seems to me not conservative, but obstructive—a yielding to the great infirmity of our dear and venerable Church (for all Churches and all men have their infirmities), the infirmity of hesitating when she ought to be hastening forward in her great work, in this fast age and prompt people. If we wish to be a Church that keeps pace with the age in which we live, if we wish to be a Church that can go forward among this people and work for them and lead them, we cannot wait twenty years to decide what by any other body in the land would be done in one-fourth the time.

Do we want, do we need, a new Hymnal in this Church? Then I say now is the time to make concessions, to yield our personal feelings, to adopt this noble and excellent work which has been presented to us. I hope that, laying aside the amendment which has been offered, this Convention will adopt the resolutions that have been sent down to us by our Rt. Rev. fathers in their prudence, in their ability to look over the whole field, and lay this question of difficulty among us, of disturbance among us, of uneasiness among us, aside now and forever.

The Rev. Dr. MEAD, of Connecticut. Mr. President, I rise, not for the purpose of making a long speech, for I am not addicted to that, either in what I say here or in the pulpit. I honor the sentiments of my reverend brother who has just sat down; only I think that it would have been well if he had heard the charge once delivered by a Presbyterian minister to a newly installed pastor, on the subject of his sermons, when he said, "As to them, my brother, be brief; it is far better to send away your people longing than loathing." [Laughter.]

I rise to say that, since the last debate on this book, I have read every hymn and psalm in it. You may say I have been industrious. I have been, and also careful, and I now say that, in my opinion, if we fail to accept this book, we shall probably never get one superior to it, if one equal to it. I am conversant with the Hymnals of many of the denominations of Christians, and I assure you that my conviction is, that this is freer from defects than any I have ever seen.

Gentlemen speak of putting this thing off to another Convention. I am no prophet, nor the son of a prophet, in the sense of vaticinating future events perfectly; but do you know, that which I well know, that one half of you will not be sent back to the next Convention [laughter], and that you will have no voice in this question then, and others will arise, perhaps young men, who have never had any experience in this matter, to reiterate again and again, *usque ad nauseam*, the same arguments we have heard against this Hymnal?

Gentlemen, I say to you, if you are wise, accept this Hymnal. There are two classes of opponents; some hypercritical, some wishing no law but the law of self-will. In 1856 a committee was appointed; in 1859 a report was made and a book distributed; in 1862 the Convention was not in a condition of feeling to consider Hymnals; in 1865 the question came up again, and what was done? After a long debate, it was finally recommended that a committee of the Bishops be appointed for the purpose of selecting from certain Hymnals which had been proposed, a few hymns to be set out as "additional hymns," which might be used for three years. The three years rolled around; I never used them. I will not adopt any other Hymnal than that which we have until you decide on one, until you fix on one, and say that shall be the Hymnal, and then that will be the Hymnal of my church and parish, wherever it may be. 1868 came, and then the "Hymns Ancient and Modern," beautiful hymns, defective hymns, hymns that I could not in my conscience vote for, and the "Hymns for Church and Home," being the book presented in 1859, were thrown together in a mass with "Hymns of the Society for the Promotion of Christian Knowledge in England," and Bishops and anybody might choose out of them what they would use.

Thus have we gone on step by step, until we have made liberty license,—I was going to say licentiousness [laughter]. And here we stand now, at the termination of fifteen years from the time a committee was first appointed, who have presented a book, I am free to say, from my own examination, as perfect as we have any right to expect, for we do not believe, in our Christian Church, any more in the infallibility of book committees than we do in the infallibility of the Bishop of Rome. As has been said, in very plain poetry:

"Whoever hopes a perfect book to see,

Hopes for what ne'er was, nor is, nor e'er shall be."

You have as perfect a book as you can expect. Now one word with regard to the objection made at two General Conventions, by my beloved brother from North Carolina (the Rev. Dr. Mason). I must confess, that in both I have been surprised, that, while he was, as he says, desirous of running clear of the Monothelite heresy, he actually has run into it. Why, sir, what is his objection to the 54th hymn of this collection, the 52d, I believe, in our present collection? The objection is to this one line:

"By Thine hour of dark despair."

And he shudders, horrified at the idea that the Man-God could ever despair? Why I am willing to sit at his feet, as my Gamaliel, although I believe I am an older man than himself; but in that point I will ask him what did the Apostle mean, when he told us of this same Jesus Christ, our Saviour, who was tempted in all points as we are? We as men are tempted to despair; Jesus Christ as man could be tempted to despair; and there is nothing erroneous; but the two

wills, the will of God and the will of the man, are displayed in that very line; but it has been modified to read:

"By Thy conflict with despair."

I am perfectly willing that it should be modified in another way, so as to read:

"By Thy victory o'er despair."

But that there is any erroneous doctrine taught in that line, I contend, is a mistake, and any person who has that objection after hearing the solemn, thrilling presentation by the worthy layman from Virginia (Mr. Barbour), of the declaration of the Blessed Redeemer on the cross, cannot for a moment, I trust, entertain it. I go for this book.

And now one word more with regard to gentlemen desiring to speak. I always have something that I wish to say; but I have a little monitor here that tells me, "You had better not say it. Time is precious. It has been said as well, or better, perhaps, than you can say it. Why should you reiterate it? Vote, vote. Take your questions; do the work of the Church after having fairly deliberated on it, and do not expect that gentlemen will come here from hundreds and thousands of miles, to sit, as a gentleman said this morning, nine months as the Congress of the United States do." Perhaps, if you would give us all eight dollars a day and pay our travelling expenses, we might consent, if our parishes would, [laughter] to stay here. But we are, most of us, here at great expense. And there is another point, which I wish to make, that gentlemen who make long speeches and frequent speeches here, do not reflect that every speech they make, is costing this Convention probably a hundred dollars. [Laughter]. I am a Yankee; I am accustomed to calculations [laughter], and I have thought this over again and again. I have heard the remark made, "If on a certain question, which was agitated, they had decided that question, as after some day and a half or two days' debate, they finally settled it, if they had settled it at once and taken the money that it cost the Convention, to stay here and hear the debates, and sent it to Chicago, it would have been far better applied."

Now, sir, I have to beseech, to entreat my brethren, and I feel that I have a right to do it, both from my taciturnity generally, and also from my age, as gentlemen frequently call me "venerable," and give me heathen nick-names, [Laughter.] I appeal to the members of this House not to waste time on this question which has been debated again and again, and has been very thoroughly ventilated in this House.

The Rev. Dr. ANDREWS, of Virginia. I rise to make a shorter speech still. I have also read this book from beginning to end, and I often found myself losing my office as a critic, and I had to recall myself to the service, for my heart was borne on the wings of devout affection from hymn to hymn, as I proceeded throughout the book; and never have I been so gratified in my whole life as in receiving it. My colleague spoke of the number of hymns collected. I have twenty-five thousand hymns; I have gone over book after book, and volume after volume, and I have now a work that was compiled in two volumes for the Confederate Church, when that was expected to exist. [Laughter]. I can say that, never in all my knowledge of the subject have I seen anything to compare with this. Why do you want other hymns put in? We know what they are about. Would any man wish to sing the Five Points of Calvinism? [laughter], or the doctrine of necessity, or free will?

We have one now in language we can all use "with one consent, let all the earth their cheerful voices raise." This whole Convention can sing that hymn through from beginning to end, whereas if these modifications take place, perhaps, four fifths or nine tenths of the Church would be unable to join in it and it would be a stumbling-block in our way. I will say no more, though I could speak an hour on this question. [Laughter.]

The Rev. Dr. MASON, of North Carolina. I hope I shall be allowed to vindicate myself from an imputation of the very worst kind. I have been charged with heresy. [Laughter]. I have been called a Monothelite. Will the gentleman please to tell me how I am a Monothelite?

The Rev. Dr. MEAD, of Connecticut. I will tell you how I view any person who will separate the two features of the Blessed Redeemer; the Divine and the human nature. That is Monothelitism.

The Rev. Dr. MASON, of North Carolina. That is the very opposite of the Monothelite heresy. [Laughter]. I cannot see how you can call that the Monothelite heresy, for it is the very opposite. I am very sorry to find a person of your age not to know what the Monothelite heresy is. [Laughter].

The PRESIDENT. I think that theological discussion had better be dropped.

The Rev. Dr. MASON, of North Carolina. In ecclesiastical history it was this confounding of the two natures together that constituted the heresy. When it is said in the holy Word of God that "He grew in stature and in wisdom and in favor with God and man," I should like to know what that means. Does that mean the Divine nature?

The Rev. Dr. MEAD, of Connecticut. No, sir.

The Rev. Dr. MASON, of North Carolina. Or does that mean the human nature simply? Let my reverend brother answer if he pleases.

The PRESIDENT. I respectfully suggest to the deputy from North Carolina that he cannot settle the question of the Monothelite heresy in this debate. I supposed it was a mere piece of rhetoric on the part of the gentleman from Connecticut and it had better be passed over.

The Rev. Dr. MASON, of North Carolina. I only wanted to vindicate myself from the imputation of heresy.

The PRESIDENT. That has been amply done.

The Rev. Dr. MASON, of North Carolina. This committee are certainly persons deserving of all confidence, and it is exceedingly difficult to get any Hymnal on earth which shall not have some objection in it. Any objection which arises from rhetoric or from rhyme or from a want of poetic fervor or excellence of any sort or kind, I would have no possible objection to waiving; but when I come to find what I believe to be a most extraordinary want of true doctrine, when I find what I consider a doctrine never entertained, as far as my limited knowledge of the Fathers is concerned, by any divine of our Church or by any of the Fathers, but is merely introduced by a person who writes a hymn, that is even purposeless, I cannot consent to sanction it. This hymn itself has no purpose. It is a very fine collection of noble expressions, but really it has no purpose; and when I find in it what I consider as a most extravagant expression involving a very serious defect, involving in fact the ascription of sin to our blessed Redeemer, I must confess that I am exceedingly moved. Despair, as I said before, can arise but from one of two causes, either the consciousness of unpardoned sin, the sin

against the Holy Ghost here, or damnation hereafter; or else it must arise from distrust of God's promises. Our blessed Saviour certainly could not have had the former; could he possibly have ever had the latter? Did he not confide forever and ever most implicitly and perfectly in the Divine promises of his Father of the Godhead? How could it be possible that he could ever have had any despair?

There is a vast difference between having a temptation brought before us and suggested to us, and the entertaining of that in our minds. When we talk of a conflict with despair the emotion must have been there; it must have been entertained. What should we say if we talked of the conflict of our Saviour with hatred, with malice, with revenge, with distrust of God continuously? What would we say of that? But despair in the case of our blessed Redeemer would have been as much a sin as the entertainment of hatred in the heart.

With respect to the words which were quoted by the gentlemen from Virginia, I do not see any difficulty in regard to them at all. Our Saviour is there announcing the fact that the presence of God was withdrawn from Him, but he does not express any distrust in the Father's promises.

Mr. HODGDON, of Iowa. I rise to a question of order. I do not see that fruitless discussion upon the word "despair" has anything to do with the question now before the House, which is the amendment offered by the clerical gentleman from Wisconsin. I wish the Chair to rule upon that question of order.

The PRESIDENT. The amendment brings up the whole question of the quality of these hymns. If gentlemen choose to discuss them, it is not out of order to do so, though it certainly seems to me to be a terrible waste of time. This hymn especially has been in our Hymnal since my recollection; but if gentlemen choose to discuss the quality of these hymns they have a right to do it, as I understand.

The Rev. MASON, of North Carolina. If any one will examine the 22d Psalm, from which the words purport to be quoted, he will find there is no despair in it.

Mr. MATTHEWS, of Massachusetts. I move that the vote be taken in ten minutes on the amendment.

The motion was agreed to.

Mr. WARREN, of Albany. I have not had sufficient opportunity to examine carefully this proposed collection of hymns, but I have seen enough of it to satisfy my mind that it is by no means perfect. That it is the highest ideal of Christian poetry that the culture and intelligence of the Church in this country can devise, I am not prepared to admit. The educated literary opinion of the age must be respected if we expect as a Church organization to teach and influence public sentiment. It is absurd to promulgate poor rhymes from this enlightened Convention, because they cover a little weak piety. Religious hymns should be toned up to stand literary criticism. Why should not the Church hold its own in the intellectual struggle of the times? It is certain that we shall lose ground if we do not in didactic teaching, and in our Christian songs, meet the requirements of intellectual criticism. I know that Christian hymns are emotional expressions rather than mental essays, but I insist that the rules of grammar ought not to be violated, as I believe they are very freely in this proposed Hymnal, in a collection of Christian poetry which this Church is willing to adopt as the only hymns entitled to be used, and for a people educated in

literary judgment. To recommend poor poetry is bad enough but to shut up our entire Church in this country to the use of weak hymns is an outrage upon Christian education.

The PRESIDENT. The question is on the amendment proposed by the Reverend deputy from Wisconsin (Dr. Adams), to insert the words "provisionally, until the next General Convention."

The amendment was rejected.

The PRESIDENT. The question is on the first part of the resolution.

The Rev. Mr. SEYMOUR, of Iowa. There is no speech from me to-day, but a question. I desire to ask a question. If we adopt this Hymnal, will it give us the privilege of using the Psalms of David, if we choose to do so?

Mr. KING, of Long Island. This Hymnal is to be used with the psalms already authorized.

The Rev. Mr. SEYMOUR, of Iowa. Can we use, when we choose, before sermons or after, a selection from the Psalter of David, in metre to be used as a chant?

The PRESIDENT. Of course. I suppose I can answer that with the universal assent of the House.

The Rev. Mr. SEYMOUR, of Iowa. That is enough.

The Rev. Dr. ADAMS, of Wisconsin. In order to have the opportunity of bringing this whole matter before the House, I move the indefinite suspension of this whole subject, and on that motion I have the floor.

The PRESIDENT. Yes, sir, but you have made a motion which I think is not debatable.

The Rev. Dr. ADAMS, of Wisconsin. A motion for indefinite suspension?

The PRESIDENT. Indefinite postponement. There is no indefinite suspension.

The Rev. Dr. BERKLEY, of Missouri. I beg that the Chair will enforce the rules. One rule is that no gentleman shall speak more than twice on the same question.

The Rev. Dr. ADAMS, of Wisconsin. Indefinite postponement is my motion; and if the Chair will allow me to say a few words—

The PRESIDENT. The Chair cannot allow the gentleman to say anything on that motion. The question is on indefinite postponement.

The Rev. Dr. ADAMS, of Wisconsin. I wish to say a few words upon the point.

The PRESIDENT. You cannot say anything upon that point, as the motion is not debatable.

The Rev. Dr. ADAMS, of Wisconsin. I can discuss the whole subject, I have been assured by one of the best parliamentarians in this House.

Mr. SHEFFEY, of Virginia. A motion to postpone indefinitely involves the consideration of the entire subject, and is not under the restrictions of a motion to lay upon the table in respect to which there is to be no debate.

The Rev. Dr. ADAMS, of Wisconsin. I hope the House will hear what I have to say, because it is one of the most important subjects that has come before the House, or can come before the House for many years.

The PRESIDENT. The gentleman will proceed. The Chair is now advised that the motion is debatable. He was under the contrary impression before.

The Rev. Dr. ADAMS, of Wisconsin. Mr. President, the first thing that I will say is that the

only reason I make this motion is that the whole subject of this Hymnal, with all matters connected with it, shall come distinctly and clearly before the minds of the members of this House. As for the desire that this motion shall prevail, I have no desire whatever. Very likely I shall vote against it myself. [Laughter.] But I want the venerable clergy of this House, the business men and the lawyers, to consider a matter which I shall bring up in reference to this Hymnal.

When I came forward with the amendment which has just now been rejected, I came forward sincerely and honestly. I had the full wish and desire that we should have the opportunity of examining this matter for three years, and then coming up after deliberating upon it, to give our perfect judgment. After I left this House on Saturday, I learned that there was an idea prominent in the minds of certain gentlemen that, instead of being sincere and honest in my declaration, I was working after the manner of that celebrated theologian in Pilgrim's Progress, who was called Dr. By-ends, that I had the idea of continuing the liberty to use "Hymns Ancient and Modern." I will only say in regard to the Hymn Book which is now before us, I have but one single fault. I think it is a good Hymnal, but I think we have had no time to discuss its merits, and while the House has rejected the amendment I brought forward, and of course I bow to that decision, I think the House might have considered matters a little better. [Laughter.]

I approve this Hymnal, and venerate the men who brought it forward: but I object to certain matters connected with it. And here I would wish the gentlemen in this House fully and deliberately to take into thought what I have said. I object to the Hymnal being copyrighted.

The PRESIDENT. That is not now before the House.

The Rev. Dr. ADAMS, of Wisconsin. It is part of the whole question. I can discuss the whole matter that comes under—

The Rev. Dr. DALZELL, of Louisiana. I raise a point of order. The ten minutes that the House voted to dispose to discussion have passed.

The PRESIDENT. That was only as to the amendment.

The Rev. Dr. ADAMS, of Wisconsin. I beg leave to say that the whole question of these resolutions is, according to the decision of the Chair, and the best parliamentarians in this House, before this Convention, and, therefore, I can fully and distinctly discuss the question of the copyright intended to be taken out for this book.

Mr. WITHERS, of Virginia. I call for the reading of the first resolution as a point of order.

The PRESIDENT. The question on indefinite postponement brings up the whole matter.

The Rev. Dr. ADAMS, of Wisconsin. I call for the book itself. It is "The Hymnal, according to the use of the Protestant Episcopal Church in the United States of America." On the reverse is, "Entered according to act of Congress in the year 1871, by J. B. Lippincott & Co., in the office of the Librarian of Congress at Washington." I suppose that question comes up.

The Rev. Dr. PADDOCK, of Long Island. I rise to a point of order. Notwithstanding what has been said, I understand that the question before the House is, whether we shall postpone the consideration of the whole matter of a Hymnal, and the gentleman who is advocating the postponement of the whole matter of the Hymnal, so that we shall have no Hymnal at all, is now pleading that we shall not copyright a Hymnal, when we get no Hymnal at all.

The Rev. Dr. ADAMS, of Wisconsin. I am discussing the whole question of the Hymnal, and I believe gentleman will save the time of the House by letting me have my speech out, instead of interrupting me as they do. [Laughter.] I have heard many gentlemen complaining about the time of this House being wasted, and they know that when I have the floor I am not likely to let myself be run down by anybody; and I am thankful that the President will not let me be run down.

Now, sir, I want to say a few words with regard to this question of copyright. The Committee that have brought in these resolutions contemplate a copyright. They contemplate that copyright to be used in a certain way. The Hymnal that they bring forward before this House is copyrighted by a Philadelphia house. The immediate effect of copyrighting any Church books whatsoever, that is to say, books that are to be used in the services of this Church, that are obligatory upon the clergy and laity to be used, is simply for the Church to undertake a matter of merchandising, to go into the market with her books for sale. I have told this House that the question of copyrighting the Prayer Book came up in other days before this Convention, and it was decided unanimously that it should not be done.

Mr. WITHERS, of Virginia. I call the gentleman to order, and I appeal to the Chair to sustain this point of order. The resolution to postpone indefinitely calls up the whole subject; but what is the whole subject? The whole subject is upon the report of the Committee on the Hymnal, is it not? Can you have anything before you which does not come before you through the report of that Committee? The resolution of the Committee does not contain one word in reference to copyright.

The PRESIDENT. The matter really before us is the message from the House of Bishops and their resolutions.

The Rev. Dr. ADAMS, of Wisconsin. I appeal to the common sense and the fairness of the clergy and laity of this Church that I shall not be interrupted until I have said what I have to say.

The immediate effect of these resolutions will be to send the Church into the market in reference to a matter of merchandise, to sell her books in order to raise an income from them. It will be to shut out everybody except themselves.

The second resolution is a proposal that no other Hymnal than this shall be permitted. What do you do? In the first place you send the Church into the market for the sale of her Hymnals, and in the second place you have prohibitory and protective legislation, and by forbidding all other Hymnals whatsoever than this, you close the market and enable your Hymnal to have complete and entire possession of it in order that by these means

you may go into the market and make the Church of God a house of merchandise, and have control of the market. I object to that principle in all respects; and it is clearly and distinctly brought forward in these resolutions.

Of course gentleman will say, "Just look how we supply the Hymnals to the poor, we can give them Hymnals as cheap as we please, and we will do so." When I hear such things said, I remember the man who went into the temple and drove out those that sold and bought doves. What did they sell and buy doves for? They sold the doves because in the case of the extreme poor, a dove was accepted as a sacrifice, instead of a heifer or an ox. I think we are about to make the Church into a house of merchandise. We are about to go into the market with a prohibitory tariff established upon our book, and to turn ourselves and turn the Church of God into a house of merchandise.

This thing has been done, but whom has it been done by? One of the most holy and pious men there ever was in the Church of England, John Wesley. He instituted his book concern, carried it out, made £40,000 out of it, and all that money that he made, he spent on the poor. That Book Concern went on. We are required to-day to follow the footsteps of that Book Concern, and what is the end of the matter? In the 19th century, just last year, a peculation was found in that Book Concern by an honest man who thought it his duty to expose it. But it was thought the thing must be covered up, and instead of Dr. Lanahan getting a chance for an investigation, Dr. Lanahan had to protect himself against the authorities of that Book Concern. I am unwilling that this Church, the Church, I trust, of the living God—

Mr. MUDGE, of Massachusetts. Will the Chair rule whether these remarks are in order? The Methodist Book Concern is not under consideration.

The Rev. Dr. SCHENCK, of Long Island. I rise to a point of order, and I insist upon it that some of us have rights to be respected as well as the gentleman from Wisconsin. The Chair has ruled that this motion brings up the whole subject. Now, if I may be permitted, I will make my point of order in a very few words and by authority, not according to my own speculation on the subject. Our 12th rule of order says:

"When a question is under consideration, no motion shall be received unless to lay it upon the table, to postpone it to a day certain, to postpone it indefinitely."

Now I read from Cushing's Manual, which is the recognized parliamentary authority in Congress at this time:

"When a proposition is moved which it is supposed may be regarded by the assembly as useless or inexpedient, and which it may therefore be desirable to get rid of, such proposition may be suppressed for a time by means of the previous question"—

Which we do not allow—

—"or altogether by a motion for indefinite postponement."

Which we do allow.

"In order to suppress a question altogether without coming to a direct vote upon it, in such a

manner that it cannot be renewed, the proper motion is for indefinite postponement; that is, a postponement or adjournment of the question without fixing any day for resuming it. The effect of this motion, if decided in the affirmative, is to quash the proposition entirely, as an indefinite adjournment is equivalent to a dissolution."

I claim that the motion for indefinite postponement is designed to carry the whole question out of debate, and not to introduce it into debate, as the very high authority from Virginia has held; and if that be the decision of the Chair, I beg to appeal from that decision.

The PRESIDENT. When the Chair at first said that the motion to postpone indefinitely was not debatable, he supposed that there was a special rule of the House to that effect, but on examining the rules, he found that he was mistaken in this, and hence retracted his first decision. The Chair now holds that the motion to postpone indefinitely brings up the whole merits of the matter proposed to be postponed, to be debated at the will of the House.

The Rev. Dr. SCHENCK, of Long Island. I take an appeal from the decision of the Chair with very great reluctance; but I do it because I think the authorities lie in that direction, and I wish the House to vote intelligently. Following the parliamentary authority we have, we certainly are encouraged to believe, notwithstanding such high authority has already been cited against us—

Mr. SHEFFEY, of Virginia. Will the gentleman from Long Island permit me to say a word? The House can get rid of a pending measure by voting to reject it, by voting against it when it is formally put to the House, or by voting to put it away from the House by an indefinite postponement. Inasmuch as the effect of either form of proceeding is the same on the question of rejection or adoption, does not the member see that if it be in order to debate the entire merits of a proposition on the question of adoption or rejection, it is equally in order to debate the entire merits of a proposition on the equivalent question of postponing it, or not postponing it? The parliamentary law is unquestionably so; and there is not a gentleman on this floor who would raise a doubt, who has ever served in a deliberative body, that when the question of indefinite postponement is before the House, the House has it under its consideration whether it will ever consider that question again, and of course all the merits of the question must be before the House.

The Rev. Dr. SCHENCK, of Long Island. By no means. I have not had so large experience as the gentleman, doubtless; but at the same time it is not a question of experience, but a question of the record before us.

The PRESIDENT. Will the gentleman permit me to make one remark? It is his pleasure to do it or not.

The Rev. Dr. SCHENCK, of Long Island. Certainly.

The PRESIDENT. It is simply that if the gentleman from Wisconsin had been allowed to go on from the beginning without interruption, his speech would have been over long ago.

The Rev. Dr. ADAMS, of Wisconsin. I say that.

The Rev. Dr. SCHENCK, of Long Island. While we all delight to listen to the member from Wisconsin, we prefer order and right even to that. A motion for indefinite postponement is in all bodies of parliamentary rule that I have ever referred to, declared to be a motion to suppress; and the design of that motion is to carry the matter out of the discussions of the body under the general heading which I first read, because the proposition is "regarded by the assembly as useless or inexpedient." There is nothing to be found in the rules of this House, there is nothing in Jefferson's Manual, or in Cushing's Manual, or in Cushing's large book on the law of deliberative assemblies, so far as I have been able to find, which gives solid warrant or authority for the position taken by the distinguished gentleman from Virginia; and I therefore claim that unless some authority can be shown for the individual opinion that he has presented, my appeal is well taken, the indefinite postponement is a motion to suppress, which means suppression of debate. The idea is to take it outside of the arena of this House, and if that motion prevails it takes the whole subject away from us permanently, and it is a declaration that the matter shall not be discussed and decided before this House; and if that is the object of a motion of that kind, I cannot see how it can possibly bring up the whole subject for discussion.

The PRESIDENT. On the appeal taken by the gentleman from Long Island, the question is, shall the decision of the Chair stand as the judgment of the House?

The decision of the Chair was sustained.

The PRESIDENT. Dr. Adams will proceed.

The Rev. Dr. ADAMS, of Wisconsin. Mr. President, I realize the value of your remarks, that if I had been let alone I should have said my speech long ago. I was simply wanting to bring before this House certain principles which I thought were important to us as clergy, bound by the most sacred vows, and as laity, and especially as gentlemen of the legal profession who are communicants of this Church.

With regard to this matter of copyright I was speaking in reference to it. I was saying that I did not wish this Church to go into the market under these resolutions with her books, embracing also the principle of a protective tariff upon that book. When this Convention has passed these resolutions they have created a property legally and technically, which is in the hands, at present, of Lippincott & Co.—

Mr. BURGWIN, of Pittsburgh. I rise to a point of order. It is that, upon the motion of the reverend deputy from Wisconsin, this whole matter of copyright has been referred to the Committee on Canons. It is now under discussion in the Committee on Canons, and I think it is the privilege of that Committee to discuss that matter which has been already referred to them.

The Rev. Dr. ADAMS, of Wisconsin. I brought forward a general Canon, and I do not see that the bringing forward of a general Canon involving a principle, shuts me out from discussing the appli-

cation of the principle to the question in hand, especially when it is clearly and distinctly laid down in the resolutions which are now before us.

The PRESIDENT. I decide the question of order against Mr. Burgwin. The deputy from Wisconsin will proceed.

The Rev. Dr. ADAMS, of Wisconsin. Now, sir, I want to say that when these resolutions are passed you have created a property, and if the person in whose hands it is has a right to it, he holds on to it. To show you the value of these discussions I would beg leave to state here that a member of my delegation received, when this question came before this Church, a telegram from a leading New York bookseller upon the point of copyright. I suppose I shall not be called to order for citing the text, "That where the carcass is, the eagles will be gathered together." This is the telegram:

"I offer to print the new Hymnal without cost, and if copyrighted, will give 25 per cent. Telegraph result."

I should like the Convention to put that in their pockets. I should like gentlemen here who have called me to order to consider that matter. You create by these resolutions a property of immense value, and you bring in bids from everybody for the profit, bids for the chance of doing what? Of putting an extra amount of money upon every poor person in the West who uses the Hymn Book, upon every poor negro in the South, upon every person who uses that book, you give the chance to booksellers or to your Committee, to put a tariff for their own profit. I have the chance of saying this, and I say it because I believe we are the Church of God, and because I believe the Church of God should not go into the market with merchandise on any consideration whatsoever. Perhaps I shall be called to order for saying that. I will say more than that. I have brought forward this motion of indefinite postponement for no other purpose than to discuss the question. Let me read one of these resolutions:

"That a royalty of ten per cent. upon all sales of this Hymnal shall be secured, said royalty to meet the expenses of the General Convention after the expenses incurred for printing the present edition shall be paid."

I wish the honorable lawyers of this Convention and the honorable clergy to look at the effect of that resolution. The Canon says in regard to the contingent expenses of the General Convention, that, "It shall be the duty of the several Diocesan Conventions, to forward to the Treasurer of the General Convention, at or before any meeting of the General Convention, three dollars for each clergyman within such diocese." Now, Mr. President, I wish you, and I would wish the gentlemen of this House, both clergy and laity, to look at the effect of this resolution. What is it? We are a poor diocese in Wisconsin. Very likely after our fires have wasted the country, we shall be poorer still. But since 1847, when we became a diocese, we have each of us in our poor way paid the amount of money that was laid upon us for the expenses of the General Convention. There is not a cent back. Now what is the effect of this? The effect of this is that the last of these resolutions

looks to freeing us from that by putting a protective tariff on this Hymnal, and supplying it in that way. Two hundred and seven dollars and odd cents is the contribution of the clergy in Wisconsin, for the expenses of the General Convention. These resolutions come up and actually give to our delegation that money! That is to say, these resolutions give to every delegation in this Convention an amount of money, amounting in the case of one of the smallest of the dioceses to \$207—for what? Not for the purpose of passing these resolutions: but the thing is here: If I and the delegates from Wisconsin take this into account, we have a bonus for our vote here; that is to say, we have an amount of money given us which we shall have in case we pass these resolutions. I do not say that it was intended, but I should like legal gentlemen to say what sort of a thing that is that gives to the members of a legislative body a bonus of \$200 or more, on condition of their voting for, or as a consequence of their passing, a certain bill through the House. Laymen here who are lawyers can tell me what that means. It may be unintended; it may be very honest; I will not attach any name to it; but it is to every delegation of this Church a bonus of a certain amount of money, and that forever, on condition that we pass this Hymnal and copyright it.

Now, sir, I will sum up all I have to say. I have no objection to this Hymnal. I do wish the Hymnal to pass, but I certainly will not consent that the Church of God should become a house of merchandize, shall go into the market with a book to sell it. I will not be content that she shall adopt the system of a protective tariff, and forbid any one else putting this book on the market; and above all, I will not consent that I should pass, as a member of the Delegation from Wisconsin, a series of resolutions which give me and the clergy of Wisconsin, a bonus for passing those resolutions.

I have done my speech, and if I had been less interrupted it would have been through a long while ago.

The PRESIDENT. The question is on the motion to postpone indefinitely.

The motion was not agreed to.

The Rev. Mr. HANCKEL, of Virginia. I move that the main question be taken in ten minutes. [Now! now!] Well, I will say one minute.

The PRESIDENT. It is moved that the House order the question to be taken now.

Mr. DEROSSET, of North Carolina. Will that cut off propositions of amendment?

The PRESIDENT. No; it only stops debate.

The Rev. Dr. LEWIN, of Maryland. Have we the previous question in our rules?

The PRESIDENT. No, sir.

The Rev. Dr. LEWIN, of Maryland. This is equivalent to the previous question.

The PRESIDENT. A motion is made that the House order the question to be now taken. The question is on that motion.

The motion was agreed to.

The PRESIDENT. The question is on concurring with the House of Bishops in the first branch of their first resolution in these words:

Resolved (the House of Clerical and Lay Deputies concurring), That the Hymnal reported by the Joint Committee of the General Convention be authorized for use in this Church.

The Rev. Dr. BURGESS, of Massachusetts. The Clerical Deputation from Massachusetts ask that this vote be taken by dioceses and Orders, on the ground that it is the most important change we have ever made, and such a vote will carry greater force to the whole Church than any *viva voce* vote can possibly carry.

The Rev. Mr. SHIPMAN, of Kentucky. I rise to a point of order. It has been decided by the Chair that the previous question is unconstitutional here. I ask then whether it is in order for this House to say that the vote shall be taken at any moment without further debate; whether this is not identical with the previous question?

Mr. LESESNE, of South Carolina. I take occasion to protest against everything which leads to the suppression of freedom of debate; and I am glad that the House has refused to suppress freedom of debate. There have fallen from the rev. gentleman from North Carolina objections of great weight to this Hymnal which will weigh with many of us.

But on the subject of freedom of debate I beg to read a few words from the Constitution, which, I think, should override all these small questions of order and technicalities: "And in all business of the Convention, freedom of debate shall be allowed." I ask that the Convention act upon that principle.

The PRESIDENT. The unlimited extension of such a rule would have destroyed the action of this House in every Convention which I have attended, and have prevented the transaction of its business. The question now before the House is on concurring in the first branch of the first resolution from the House of Bishops; and on this question a vote by dioceses and orders is called for.

The Rev. Mr. EGAR, of Pittsburgh. I hope the call for a vote by dioceses and orders will not be pressed at this stage. After we have gone through the series of resolutions, the question will come up on their adoption as a whole, and then the vote can be taken in that way.

The Rev. Dr. BURGESS, of Massachusetts. I have no objection to that course; and will withdraw this call, if the final vote on the general question is to be taken by dioceses and orders. I consider that the establishment of this Hymnal is the important question.

The Rev. Dr. NELSON, of Maryland. On behalf of the Maryland deputation, I ask that this vote be taken by dioceses and orders. The whole question is involved in this first resolution.

The PRESIDENT. The vote to be taken is on concurring in the first branch of the first resolution of the House of Bishops in these words:

Resolved (the House of Clerical and Lay Deputies concurring), That the Hymnal reported by the Joint Committee of the General Convention be authorized for use in this Church.

The question being taken by dioceses and orders, the proposition was agreed to, the vote standing thus:

Clergy—39 dioceses *aye*; one diocese divided. *Laity*—38 dioceses *aye*; one diocese divided.

The question was next stated to be on concurring in the remaining branch of the first resolution of the House of Bishops, as follows:

"And that no other hymns be allowed in the public worship of this Church, except such as are now ordinarily bound up with the Book of Common Prayer."

The Rev. Dr. LEWIN, of Maryland. I move that this be postponed until the next General Convention.

The motion was not agreed to.

The Rev. Mr. MAGILL, of Indiana. I move to amend the proposition, by adding:

Provided, That the use of the book shall not be enforced until January 1, 1873.

The amendment was rejected.

The remaining branch of the first resolution was concurred in.

The second resolution of the House of Bishops was read, as follows:

Resolved, That the Committee be authorized to make arrangements for the publication of this Hymnal, so as to defray all expenses already incurred for printing the present edition.

Mr. LIVINGSTON, of New York. I move to amend that resolution, so as to make it read:

Resolved, That ——— be a committee, with power to authorize the publication and sale of this Hymnal by any respectable publisher, without any royalty thereon, and with power at any time to revoke such authority.

I should like to make an explanation, if it be in order to do so.

The PRESIDENT. The Chair thinks discussion is not in order. The House has made an order that the question shall be taken.

Mr. SHEFFEY, of Virginia. I am anxious to expedite the business of this house; but I do not think either that the motion of my Rev. colleague was intended to have the breadth of application suggested by the Chair, or that this House has any power to pass any such resolution. Wherever the power to offer fresh amendments is reserved, power to debate is given under the Constitution. I think the gentleman from New York has the right to debate his proposition. I know that we are living under a Constitution that guarantees freedom of debate. I do not think that it would be beyond our power in the regulation of the business of the Convention to prescribe a reasonable limit for debate as to each individual; but I hold that it is probably beyond our power under this Constitution to say that debate shall cease on a series of propositions like these, with the opportunity to amend without any debate upon the amendments. I hope that the member from New York will be permitted to go on and explain his amendment to the House, if he desires to do so.

The PRESIDENT. Then the House must express its mind in opposition to the expression already given.

Mr. SHEFFEY, of Virginia. I beg pardon. Will the Secretary be so good as to read what the House has ordered? I may have misunderstood it.

The SECRETARY. The motion of the deputy from Virginia (the Rev. Mr. Hanckel), was understood to refer only to the question then pending. The minute, as taken down from his lips, is: "The Rev. Mr. Hanckel moved that the vote be taken now."

The PRESIDENT. Then the Chair misunderstood the gentleman. The Chair thought his motion applied to the whole series of resolutions.

The Rev. Mr. HANCKEL, of Virginia. No, sir.

The PRESIDENT. Then the Chair stands corrected. The resolution is open to debate.

Mr. LIVINGSTON, of New York. Mr. President, I have not troubled the House with any speeches and I do not intend now to do more than call the subject to their attention. The question presented by my amendment is whether or not, in the language of the gentleman from Wisconsin, we care to make merchandize of this Hymnal. It strikes me that that is decidedly inexpedient. It seems to me that the right to publish this Hymnal should be given to all the respectable publishers in the United States that desire to publish it. A restriction to any one or any two or any three publishers, and certainly to give it to any one would be very unjust and very inexpedient. We ought to throw this Hymnal, as it has been now adopted by the House, broad cast over the country. Great complaints will be made by publishers throughout the United States if they are not all permitted to publish it. To give a monopoly of this Hymnal, of a matter which belongs to the whole Church of the United States, it seems to me would be exceedingly unjust and very inexpedient. What then is the reason for it? That we may meet the expense heretofore incurred in publishing this. If that be necessary, it ought to be paid by the different dioceses by contributions. I have now with me an offer which I am told was made by one in New York who was a publisher of the Prayer Book, offering to publish the Hymnal for the use of the Convention gratuitously if he might be permitted to issue only the first edition. But expenses have been incurred, I know not how much. I am certainly willing, and I think I may speak for my delegation when I say we are entirely willing, to pay our share of the expenses heretofore incurred; but I submit to the intelligence of this House whether you will make a monopoly of this Hymnal. That is simply it. The object of my amendment is to appoint a committee to authorize the publication; and it ought to be the present committee who have prepared those hymns. My idea would be to fill the resolution in the first place with the Committee on the Hymnal, or if they think it too great a labor, then in the next place by the President and Secretary of this body, giving them the power to authorize any respectable publishers in the United States to publish this volume, and also giving them the right to withdraw that authority at any time they may think the permission should not be continued.

The Rev. Dr. CLARK, of New Jersey. I have not heard the discussion in regard to this resolution, but I gather from what has just been said that it is a question relating to the copyright. Am I right?

Mr. LIVINGSTON. The royalty.

The Rev. Dr. CLARK, of New Jersey. That copyright is now in the hands of J. B. Lippincott & Co. only for the purposes of the committee, they retaining the copyright in their own hands and only protecting themselves so far for the payment of the expense of printing the 500 copies already printed.

The House I think should have this information because it may affect somewhat the question in relation to the royalty hereafter. I do not propose, of course, to confine it to any one publishing house so far as they are concerned, but to throw it open to any

publishing house to make such arrangements as the Convention may decide upon.

Mr. LIVINGSTON, of New York. The resolution before the House, presented by the committee, does not present that idea. The power seems to be given to the committee, as it now stands, to claim a royalty. It does not authorize them apparently, certainly not in terms, to give this privilege to any number of publishers. The object of my resolution is, to make this definite and clear, that when we adjourn we may tell our constituents, that they have a right to this Hymnal to be published in every diocese in the Union, if it so pleases the publishers. The point is not the copyright. I presume, that of course, the committee have not assigned away the right of this Convention to the Hymnal. The copyright is taken by the Lippincotts, I presume, in trust for those to whom it belongs. I cannot suppose it stands in any other way; but that the Lippincotts are our trustees for the time being. But now I propose that we shall hold this, and not one publisher alone, but every publisher in the United States shall have the privilege of printing the Hymnal.

There is one other idea which I desire to state. We ought to have this Hymnal as cheap as we can get it, and if a royalty of ten per cent. is to be put upon it, so much is added to the price by the publishers, and without competition, that price may be what the publishers choose to make it.

Mr. WITHERS, of Virginia. I ask the gentleman if it is not necessary to accomplish his purpose, to make some modification of his resolution. I may have misunderstood him, but it struck me as he read it, that it would have a contrary effect from what he intends. It proposes to allow the committee to make arrangements with "any respectable publisher."

Mr. LIVINGSTON, of New York. "Any respectable publisher or publishers" would be better, and I supposed I had written it so.

Mr. WITHERS, of Virginia. I did not hear it in that way.

Mr. LIVINGSTON, of New York. I wrote it "person or persons" and then substituted "publisher," forgetting to add, "or publishers."

Mr. WITHERS, of Virginia. If you add "or publishers," that will make it right.

The Rev. Dr. MEAD, of Connecticut. We have adopted a book which belongs apparently to a printing house. The imprint on the opposite of the title page is: "Entered according to Act of Congress, in the year 1871, by J. B. Lippincott & Co.," etc. Now I want to know from something more than mere parol testimony, whether Lippincott & Co. are merely trustees of the General Convention, and hold this as trustees, or whether they have it in their own right. We want the evidence.

The Rev. Dr. CLARK, of New Jersey. I have just come from the Chairman of the Committee of the House of Bishops, to whom this matter was entrusted, and he gave me the information I have just stated, and requested me to convey that information to this House.

The Rev. Dr. MEAD, of Connecticut. I requested the gentleman from Pennsylvania, who made this report, to go and ascertain directly and explicitly, if that is the case. He has gone and will be back in a few minutes.

The Rev. Dr. CLARK, of New Jersey. Of course we can enforce our right.

The Rev. Dr. MEAD, of Connecticut. Mr. President, I hold this whole question of royalty for the purpose of paying the paltry expenses of this book, to be utterly unworthy of this Convention. I was a member of a joint committee of the two Houses, in 1841, to get up an edition of the standard Prayer Book, and we wrought on it faithfully for three years, and in 1844 we presented an octavo edition of that Prayer Book, printed not at the expense of the Convention, but through the late Bishop of New York, Dr. Wainwright. We applied to some three or four gentlemen, and they presented the money, and we paid for the books and presented them to the Convention. When our Prayer Book was first adopted, a proposition was made in that Convention to make money out of it, and the Convention by a large majority voted it down, threw it open to the public that every printer might print it, *sub conditione*, that no copy should be authorized, unless it had the attestation of the Bishop of the diocese, in which it was published, that it had been examined by him and found to be correct according to the standard.

Now, in the printing of a little Hymnal like this, are we about to tie up the whole Church, to destroy all competition in reducing the price of it? I am a free-trade man civilly and ecclesiastically, and I do not want to see any book that the Church uses in her worship tied up, monopolized by anybody, or any committee of this body, or by any printing house in the United States, so that they may exact a paltry consideration, and take it out of the pockets of the people. They give freely, largely for the payment of all our expenses. We have now a tax of three dollars on every clergyman in the United States, exacted from the dioceses, and if that is not sufficient to pay our expenses, the Secretary of this Convention and the Treasurer have the power to levy an additional assessment, and I believe that was done three times in the case of the getting up of the dropsical Journal of the Convention of 1868, before they succeeded in getting money enough; but the Church never grumbled at it. The money is always paid, and will be forthcoming. And now shall we attempt to exact ten per cent. on the sale of this book? I don't know what the ten per cent. means, whether it is on the prime cost of the work or the profits. It is a paltry thing at best for a Church like this in the United States to engage in. I fully agree with what the gentleman from Wisconsin [Dr. Adams], said on the subject, though I thought at the time he had better defer his remarks until the proper time came. I protest against any attempt whatever to tie up and monopolize the publication of this Hymnal, any more than the Prayer Book.

The Rev. Dr. HAIGHT, of New York. I desire to add one word by way of illustration. My friend from Connecticut has stated what was done in regard to the Standard Prayer Book in 1844. I have the honor to be on a committee which will report in a day or two on the Standard Prayer Book now. We were appointed to prepare a standard to take the place of the existing standard which had been tampered with very extensively, and see that the book was restored to the text of 1844. That has been done at very considerable trouble and expense, and I shall have the honor to lay before every member of this House, I hope, a copy of the standard as we report it, free of all expense.

The Rev. Dr. Wilson, of Central New York, obtained the floor.

The Rev. Dr. HOWE, of Pennsylvania. I can state the facts in the case if the Convention would like to hear them.

The Rev. Dr. WILSON, of Central New York. I have but a word to say. The reverend deputy from Connecticut asked for something beside parol testimony. I cannot give him that, but I can state that the Chairman of this Committee on the part of the House of Bishops not only stated to me, but authorized and requested me to state to this House, how the matter stands with regard to the copyright. They obtained it for the express purpose of keeping this question open for discussion here and for our decision whether we would have a copyright or not. If the book were printed and distributed here without being copyrighted, they supposed that other publishers might get hold of it, and the chance or opportunity for getting a copyright would have been gone forever. That, I understand, is the position of the case and their action.

We have got the copyright, and that we can hold; but, for one, I am entirely opposed to giving the book to any one publisher or any number of publishers to publish in virtue of that copyright, so that they can have the exclusive control of it, for over and above any royalty we can secure, these publishers will have it in their power to increase their own profits, and while putting money into their own pockets will take it out of the pockets of every individual in this Church who buys a copy. That will be the inevitable result of making arrangements with any limited number of publishers under the copyright. I favor the amendment now before us, that the Committee be authorized to make arrangements with any and every respectable publisher who desires to publish it, with no royalty, and of course, throwing it open in that way they are left to competition among themselves and will be compelled to offer the book at a price as low as that at which it can be published.

I beg pardon for saying thus much, but I was requested by the Chairman of the Committee on the part of the House of Bishops, to make this statement with regard to their purpose and intent in securing the copyright and the status of that copyright.

The Rev. Dr. HOWE, of Pennsylvania. I do not know but that the reverend deputy from Central New York has stated the very facts which I was about to make known. Since this resolution was introduced, I have been over to the House of Bishops and had an interview with the Chairman of that portion of the Committee, the Chairman of the whole Committee, Bishop Clark. Although I reside in the city where this book was printed, I declined having anything to do with the making of the bargain with the publishers. So it was done through Bishop Clark at arm's length, and I did not know until this morning precisely what the terms were. Mr. Lippincott, with Bishop Clark's consent, took out a copyright for the purpose of securing to himself the expenses incurred by the publication of this first edition. If the Church chooses to renounce all royalty in the book and to throw it open for everybody to publish who pleases, and will make provision for the payment of the bill for the expenses of issuing this first edition, which bill the Chairman of the Committee has in his hands, they are at perfect liberty to do so.

Mr. WHITTLE, of Georgia. Allow me to inquire what is the entire amount of the indebtedness?

The Rev. Dr. HOWE, of Pennsylvania. I don't know. I have not seen the bill.

Mr. WHITTLE, of Georgia. Cannot you approximate it? I have no doubt we can raise the amount.

Mr. KING, of Long Island. I understand it is in the neighborhood of eight or nine hundred dollars. Mr. Pierrepont a member of the Committee told me so.

The Rev. Dr. HOWE, of Pennsylvania. I have nothing to say in the way of expounding the facts in the case. I should like to add a word simply in regard to the royalty.

The Rev. Dr. WILSON, of Central New York. I should like to ask if the Chairman knows whether this publishing house has stereotyped plates of this book?

The Rev. Dr. HOWE, of Pennsylvania. I think so.

The Rev. Dr. WILSON, of Central New York. Then if they are allowed to bring in a bill, the cost of those plates should not be included or allowed. If they are paid for their work, they have the plates and can use them in the issue of subsequent editions. If it has not been copyrighted, they should not be allowed any compensation for stereotyping, most manifestly.

The Rev. Dr. HOWE, of Pennsylvania. Into the details of the arrangement and how the thing may be settled up in case they do not publish it, I think it is hardly worth while for us to go, on this floor.

In regard to the matter of royalty, it may be very inexpedient for the Church to put any check, any sort of obstacle in the way of the freest circulation of any one of its books; I do not undertake to say; but if the Church were to retain a royalty of ten per cent on the book, it would be hardly a perceptible increase of the cost of the individual copy to the purchaser, while the aggregate that would return to the Church for the purposes of the Church would be an amount far beyond what I suppose any member of this House has conceived or dreamed of. If, however, the Church chooses to make square this bill for the publication of this edition which is given freely to members, be it so. Making provision for that expense, they can declare that it shall be forever free and that there shall be no royalty.

The Rev. Mr. HUNTINGTON, of Massachusetts. Mr. President, we are getting into deep water. I should like to ask one plain question, without an answer to which we cannot intelligently discuss this matter, and I hope it will be given by some competent legal authority. In what person or persons does the legal title to the copyright of this book now vest? It looks to me very much as if this firm had us in their grip, and that we are wholly at their mercy and must rely on their magnanimity.

The Rev. Dr. HOWE, of Pennsylvania. In the first issue of the little volume of additional hymns six years ago, the same thing was inserted, "Copyrighted by J. B. Lippincott & Co." As soon as it was found to be distasteful to the Church, the committee remonstrated with Mr. Lippincott, and it was taken out, and the book thrown freely before the Church.

Mr. COMSTOCK, of Central New York. Underlying all this discussion is the question whether this book can be the subject of copyright at all. I suppose it cannot be. I understand that it does not contain one original composition. It is a compilation. Those hymns as a body, each and every one of them, are the property of all mankind. Therefore, anybody can publish them. Unless I am greatly mistaken,

there is no question of copyright before the Convention, because a copyright is impossible. The Convention, or some trustee for it, can only stereotype the plates. There can be no other property connected with the subject except those plates. This view of the subject, if I am correct, will show the impracticability of imposing a royalty on this Hymn Book, because all the world can publish it, and therefore our edition upon which we are to impose a royalty must cost ten per cent. more than an edition which may be published, and rightfully published, by anybody else.

Mr. RUGGLES, of New York. Mr. President, I must appeal to the gentlemanly instincts and the Churchmanlike feeling that pervade this body, when I assert that we are not in very deep water here, but I think in very shallow water. I cannot repress my feeling of disgust at the proposition that this great Church in this great continental nation should engage in this wretched traffic. I deem it utterly unworthy of this body, and I feel degraded at the proposition being made and at being called upon to vote on it. What is the proposition? It is, in the first place, that every communicant of this Church, already 220,000 in number, shall be taxed, that we shall levy tribute money upon every one of our communicants, high and low, rich and poor, to fill the treasury of this Church, for singing the hymns of praise to Almighty God. Nay, more: not merely the communicants, but all the congregations not communicants. Nay, further: not merely the 200,000 we now have, but for all time to come; and I indulge the hope that under the wise administration of this Church and the eminently pacific measures now hanging over it, our communicants will be increased to 500,000 very shortly, and we are to put our hands into the pockets of that immense multitude and pick out a few pennies for the treasury of the Church? I cannot but deem it degrading to consider, much less to adopt, such a proposition. I cordially support the amendment of my honored colleague from my own diocese.

The Rev. Dr. SCHENCK, of Long Island. I think this matter had better be left with the committee or taken out of the discussion of this body.

I cannot agree with the distinguished gentleman from Central New York [Mr. Comstock.] I will undertake to show him in twenty-four hours a hundred books in which there is not one single original word, which are copyrighted. Whether that be an open question of law or not, I know perfectly well what the usage is. You will find compilations of poetry of all kinds that are copyrighted all over the country. I had a book sent me the other day, published in Baltimore, which was a compilation and which was copyrighted. I do not think that is a question before us.

I believe, moreover, that an immense amount of fine sentiment has been wasted on this matter of paying a little something on this book to aid in the work of the Church. This royalty is nothing in the world but rather a graceful way of making a contribution to the general fund of the Church, and I do not think we need be so exceedingly cautious about this matter of laying tribute upon

our brethren. The Church does it all the time. I am sure she does it in her aggregate capacity and we do it in our parishes. I do not see anything so outrageous in this proceeding of our requiring a little money to be paid in this way incidentally, and for our having a little profit from the work instead of booksellers. Not only so; this is a piece of property that belongs to us. We have labored hard to get it. I do not see, if any advantage is to be gained by the sale, why we might not have that advantage as well as anybody else. I shall certainly be very sorry to see the Church do anything that was humiliating or degrading to us, but at the same time I am very certain that if we throw this open, hundreds of thousands of dollars will be made out of this work in this way.

However, to tell the truth, I do not care particularly whether you decide this matter one way or the other. It is not a matter of a great deal of consequence. But I do think—and that is the point I rose to make—this matter ought to be left with the committee and confided entirely to their judgment. They have had it in hand for a long time. They have given us a very satisfactory Hymnal. They have presented to us a series of resolutions, the most of which undoubtedly will be adopted by this body. The main resolution has already been adopted. We have accepted the Hymn book. Cannot we trust the committee in their wisdom and judgment to attend to the little details of the expense of publishing it?

The Rev. Dr. GOODWIN, of Pennsylvania. I desire to offer what I suppose must be, if proposed, an amendment to the amendment.

Resolved, That this Hymnal, when finally corrected by the committee thereon, shall be free to be printed and published under the same condition as now apply to the printing and publishing of the Book of Common Prayer.

My reasons for offering this amendment I suppose may be clear enough without my stating them, to many, and perhaps to most; but it seems to me that the proposition made in the amendment proposed by the honorable gentleman from New York is exposed to many difficulties. In the first place—

Mr. LIVINGSTON, of New York. I accept that amendment.

The Rev. Dr. GOODWIN, of Pennsylvania. Very well; then I have not a word to say. I will not take up the time of the Convention.

Mr. LIVINGSTON, of New York. I give notice that if my amendment should be adopted I shall then move a resolution that the Committee on the present Hymnal be substituted as the committee who shall have this authority to regulate and correct the printing. Then I shall also move that the President and Secretary, or the proper authorities who have a right to levy an assessment upon the dioceses, to levy the proper assessment upon each diocese to pay the expenses heretofore incurred in relation to this Hymnal.

The Rev. Dr. MEAD, of Connecticut. To effect that, it is only necessary to adopt a resolution au-

thorizing the chairman of the Committee on the Hymnal to draw on the treasurer of the General Convention for the amount of expenses incurred, and the treasurer must be authorized to pay it, and there is an end of it. As to any assessment, if the amount collected for this General Convention be not sufficient, they are authorized to assess to any amount to get money enough.

The Rev. Dr. GOODWIN, of Pennsylvania. I was not understood, and it was my own fault. I do not conceive that the resolution which I proposed as an amendment could stand after the other. My intention was, if I had used strictly parliamentary language, to move to strike out all after the word "resolved," and insert this instead. If that were accepted, I should sit down; but if the old resolution is to remain I do not think this is congruous.

Mr. LIVINGSTON, of New York. If I understand your amendment, it is that after this work is properly corrected by the Committee on the Hymnal then it shall be made free.

The Rev. Dr. GOODWIN, of Pennsylvania. And therefore the Committee that you spoke of, of three to make arrangements, is not needed.

Mr. LIVINGSTON, of New York. I propose to move as a separate motion, after the vote has been taken on this amendment, that the Committee on the Hymnal have that power, which has not yet been given to them.

The Rev. Dr. GOODWIN, of Pennsylvania. But are you willing to let your resolution for the present drop and take this instead of it?

Mr. LIVINGSTON, of New York. Yes, sir.

The Rev. Dr. GOODWIN, of Pennsylvania. Then I am satisfied.

The PRESIDENT. Then the question is on the amendment of the gentleman from Pennsylvania, which has been accepted by the gentleman from New York.

Mr. CRAIGHEAD, of Tennessee. I desire to ask one question of the chairman of the Committee on the Hymnal before voting on this question. It has been intimated to me, perhaps wrongly, but still from a direction and by an authority which I cannot but think is a correct one, that it was proposed to this committee nearly a year ago, by a responsible house of the first character in the city of New York, to publish this Hymnal and to distribute it among the members of this Convention gratis. Before voting on this proposition to make a draft upon the different banks of the dioceses, as I am one of the subscribers to those banks, I desire to know if this is true.

The Rev. Dr. HOWE, of Pennsylvania. It is not known to be true by the chairman of the committee. He believes that what has just been stated is not true.

Mr. CRAIGHEAD, of Tennessee. I am very willing to accept the explanation of the chairman of the committee as far as he is individually concerned, but it does not satisfy me in regard to the fact. As I stated before, the information came to

me very direct, and if such is the case, although the chairman of the committee may not be aware of the fact, and there is a very reasonable possibility of the fact, though the chairman may not know it, I cannot and will not vote to make a draft upon the treasurers of the different dioceses to pay this expense which ought to have been paid in this other manner as suggested. I do not know the fact, but I dare say there are a number of publishers in New York and Philadelphia who would gladly have distributed this number for the privilege of selling, as they probably would have done, surplus copies throughout the United States.

The PRESIDENT. That question is not immediately before the House. The question is on the amendment of the gentlemen from New York as modified.

The Rev. Dr. McNAMARA, of Nebraska. Supposing the committee to have made a bad bargain, will the Convention of the Protestant Episcopal Church repudiate the bargain of their committee?

The PRESIDENT. That question is not before us. This amendment does not embrace that question. It will come up directly.

Mr. HOWE, of Indiana. I offer the following amendment to the amendment:

Provided, That no printing of additional copies of the book be allowed until J. B. Lippincott & Co. shall have, in the proper manner, disclaimed and withdrawn all title to copyright in said book.

Mr. CORNWALL, of Kentucky. I hope the resolution of the reverend deputy from Pennsylvania will pass. It is of as much importance as any question we have had before us this morning, that there shall be no tax, no royalty on this book. If there be a tax upon it, there would be first, a profit in the hands of the publishers, we will say, of five, ten, fifteen, or twenty-five cents, according to the value of the edition and the style of binding. In addition to that there would be a profit on that book in every hand through which it passed. Now, we have a new book to be introduced. I am told by gentlemen that the book is worth fifty cents at the publisher's office. If it be worth fifty cents at the publisher's office, it will cost us a dollar for every copy out West. That will prevent its circulation.

I may mention, in proof of this, that we have now between six hundred and seven hundred hymns authorized by the proper authority in the Church. Sixty of them were sent forth, some years ago, in a little pamphlet, at the price of fifty cents. That price prevented the circulation of that book. The last General Convention appointed a committee and authorized them to make a selection of hymns from two books. The selection was made, and some samples of the book that I got in New York cost me sixty cents a copy. I tried to introduce the book, but nobody cared about it. When a book is introduced in the West, it is worth from seventy-five cents to a dollar. On Saturday afternoon I tried to find two of those books in this city, and in two bookstores there was not a copy of those addi-

tional and selected hymns published by E. P. Dutton & Co., of New York, to be had at that price.

I think the proposition to leave this book open to the competition of all publishers, so that it may be published as cheaply as possible, is the most important thing connected with it, for I believe it will never be introduced, its merits will never be known to the Church, and three years from this time, a large number of the congregations will not know what it is, unless we have it cheap. They will still adhere to the two hundred and seventy-two hymns bound up with our Prayer Books. Therefore, I think it is of the utmost importance that we should pass a resolution which will settle all legal questions and prevent any disputes, that no one shall have the exclusive right to this book, but that it shall be open to free competition.

The Rev. Mr. PORTER, of South Carolina. Did I understand the gentleman from Long Island to say that he could not vote for this amendment unless he knew that the committee would be reimbursed for any amount of money that they had expended? I believe I have the honor to represent a diocese as poor as any diocese in this Convention, but I am sure I speak for my diocese when I say that we shall be willing and glad to pay whatever amount our share of this debt may be. I hope that this subject of money will get out of the Convention as soon as possible. I say again, as representing the Diocese of South Carolina, we are perfectly willing to be assessed any amount to liquidate the debt that may have been incurred.

The PRESIDENT. The question is on the amendment offered by the gentleman from Indiana.

The Rev. Dr. GOODWIN, of Pennsylvania. I desire to call attention to the fact that this is amending a resolution sent to us by the House of Bishops, and it seems to me it is encumbering very seriously our action upon that resolution to put in some little particulars about a publishing house. Indeed we never could publish the book as proposed in the original amendment offered by the gentleman from New York, unless this were done. Therefore it seems to me useless.

The SECRETARY. I have had sent to me from the chairman of the Committee on the part of the House of Bishops the bill on this subject which I will read:

To J. B. Lippincott & Co., Dr.	
Stereotype plates, Church Hymnal	\$474 41
Stamp, " " " "	2 25
Manufacturing 500 copies Church Hymnal,	
in cloth,	176 00
Amount total,	\$652 66

I understand by this that the Church will own the stereotype plates of this work when they are paid for.

The PRESIDENT. The amendment offered by the gentleman from Indiana is first in order.

Mr. CARTER, of Maryland. I think that amendment ought never to be adopted by this House. If the House will reflect a minute, they

will see that that amendment, if it is adopted, allows Lippincott & Co. to say whether this Hymnal shall be published or not. I hope it will not be adopted.

The amendment to the amendment was rejected.

The PRESIDENT. The question recurs on the amendment of the deputy from Pennsylvania, accepted as his own by the gentleman from New York.

Mr. LIVINGSTON, of New York. Let it be read again. There is some little doubt about the phraseology.

The SECRETARY read as follows:

Resolved, That this Hymnal, when finally corrected by the committee thereon, shall be free to be printed and published under the same conditions as now apply to the printing and publishing of the Book of Common Prayer.

Mr. LIVINGSTON, of New York. An objection has been suggested by a clerical friend, who is generally well versed in these matters, that the Canons provide that the publication of the Prayer Book shall be under the control of the Bishop of the diocese. Is it intended that that should be so in this case?

The Rev. Dr. GOODWIN, of Pennsylvania. Yes, sir.

The Rev. Mr. MORGAN, of Iowa. I wish to ask one question for information. By letting this book continue to be copyrighted for awhile, shall we not secure for ourselves and our people cheaper editions than we can if we take away the copyright?

Several DEPUTIES. No; no.

The amendment was agreed to.

The PRESIDENT. The question now is on concurring in the second resolution of the House of Bishops as thus amended.

The resolution, as amended, was concurred in.

The Rev. Mr. HANCKEL, of Virginia. I move that the House continue in session for half an hour longer, by which time I think we can dispose of this subject.

The motion was agreed to.

Mr. LIVINGSTON, of New York. I offer the following resolution:

Resolved, That the present Committee on the Hymnal be authorized to supervise and correct, if necessary, the Hymnal as presented and adopted for publication, and that the chairman of the committee be authorized to draw on the Treasurer for the expenses incurred for the printing and stereotype plates of the said Hymnal.

The Rev. Mr. EGAR, of Pittsburgh. I think we should first pass on the resolutions of the House of Bishops. I do not want to use the word snap-judgment at all; but something like it seems to have been sprung upon us with respect to one or two matters, and I hope time will be given. A great many of us did not know what it was about when the question was put on the adoption of the prohibitory clause and never heard the motion. I did not. I think we had better go on now in order

with the resolutions as they stand. I am not disposed to quarrel with the action of the House in passing the prohibition of any other hymns. I feel very sorry that gentlemen who are very much interested in that matter were not allowed to debate it, but I hope we shall now go on in order. This resolution having been completed, the resolution of the House of Bishops is the one that ought to come up.

Mr. LIVINGSTON, of New York. I accept the advice of many counsellors and withdraw my resolution for the present, and call for the reading of the next resolution of the House of Bishops.

The third resolution of the House of Bishops was read, as follows:

Resolved, That the first resolution contained in the report of the committee shall take effect and become authoritative on the Feast of the Epiphany, 1872, at 3 o'clock, P. M.

Mr. CARTER, of Maryland. I wish to offer an amendment which does not affect the substance of that resolution, but if the House will listen for a moment they will see that the resolution, as it comes down from the House of Bishops, is very defective; and my amendment is merely to cure the defect. The resolution as it comes from the House of Bishops is this:

Resolved, That the first resolution contained in the report of the committee shall take effect and become authoritative, etc.

That resolution has not been acted on by the House, and it would be no legislation at all if we declared that the first resolution, as reported by the committee, shall take effect. What we want to do is, to provide when the first resolution which we have passed, which the House of Bishops passed first, and which we have just passed this morning, shall take effect. The way it reads is: "That the first resolution contained in the report of the committee shall take effect" at a certain time. That would imply that we had passed the first resolution as it came from the committee. We have passed it substantially, but not in that language. I, therefore, offer this amendment, which is really to make it conform properly to our legislation:

Resolved That the first of the foregoing resolutions shall take effect on the feast of the Epiphany, 1872.

The Rev. Dr. HOWE, of Pennsylvania. I ask if that comprises both the parts of the resolution which we divided?

Mr. CARTER, of Maryland. Undoubtedly. It says "the first of the foregoing resolutions," which is a whole resolution, and not one half of it.

Mr. SHEFFEY, of Virginia. But the words "and become authoritative" are left out. Do you intentionally leave those words out?

Mr. CARTER, of Maryland. I intentionally left them out, because they did not seem to me to be proper words, or to add anything to the meaning. When we say it shall take effect, it is sufficient; there is no use in adding "and shall become authoritative."

The PRESIDENT. The question is on the amendment of the gentleman from Maryland.

The amendment was agreed to.

The PRESIDENT. The question now is on the adoption of the resolution, as amended.

The resolution, as amended, was agreed to.

The 4th resolution of the House of Bishops was next read, as follows:

Resolved, That this Hymnal shall not be bound up with the Book of Common Prayer until order to that effect shall be taken by the General Convention.

The resolution was concurred in.

The 5th resolution of the House of Bishops was read, as follows:

Resolved That the Committee on the Hymnody of the Church shall be continued, with instructions to make such alterations in the text of the Hymnal now adopted as may be needed in order to secure accuracy and literary completeness.

The resolution was concurred in.

The sixth resolution of the House of Bishops was read as follows:

Resolved, That suggestions as to the introduction of hymns into the Hymnal or the omission of hymns from it may be submitted to the Committee until Tuesday, October 17, 1871, at 3 o'clock, and that the Committee be requested to report their judgment thereon before the adjournment of this Convention.

The resolution was concurred in.

The seventh resolution of the House of Bishops was read as follows:

Resolved, That if the said supplementary report shall be adopted by the two Houses of the General Convention, the Committee shall be thereby instructed to amend the Hymnal accordingly.

The resolution was concurred in.

The eighth resolution of the House of Bishops was read as follows:

Resolved, That a royalty of ten per cent. upon all sales of this Hymnal shall be secured, said royalty to meet the expenses of the General Convention, after the expenses incurred for printing the present edition shall be paid.

Mr. LIVINGSTON, of New York. I move that the House do not concur in that resolution.

The PRESIDENT. The question will be on concurrence.

Mr. CARTER, of Maryland. If the delegate from New York who proposed an amendment in reference to paying for the expense of this book as thus far incurred, will offer that as a substitute for this present resolution, he will get it before the Convention, and dispose of the subject.

Mr. LIVINGSTON, of New York. Although possibly part of my proposition may be supererogatory because the power has already been given to the Committee to continue in existence, and to amend and correct the Hymnal, I will offer my amendment.

Resolved, That the present Committee on the Hymnal be authorized to supervise and correct, if necessary, the Hymnal as printed and adopted for publication.

The Rev. Mr. HANCKEL, of Virginia. That is already provided for. I move merely that we do not concur in the last resolution.

Mr. LIVINGSTON, of New York. I have not got through reading my proposition:

"And that the Chairman of the committee be authorized to settle with Messrs. Lippincott & Co., and draw on the Treasurer for the expenses incurred for the printing and stereotyped plates of the said Hymnal."

I have made that amendment to my original proposition, at the suggestion of a member of the committee, that it is supposed that the committee can arrange with Messrs. Lippincott, by which the expense will be reduced to probably less than \$300. I move this resolution as a substitute for the one of the House of

Bishops. My motion strictly is to strike out all after the word "**Resolved**" and insert:

"That the Chairman of the committee be authorized to settle with the Messrs Lippincott & Co., and draw on the Treasurer for the expenses incurred for the printing and stereotyped plates of the said Hymnal."

Mr. SHEFFEY, of Virginia. I ask my friend if he desires that those stereotyped plates shall remain the property of the Church?

Mr. LIVINGSTON, of New York. I think that will be left with the committee by the resolution, as they are to settle with Messrs. Lippincott & Co. Any arrangement that may be made, I presume, will be for the interest of the Church.

Mr. SHEFFEY, of Virginia. I believe it is expected that in the adjustment with the Messrs. Lippincott, allowance will be made for the value of the plates, so as to diminish the charge from \$600 probably to \$300, against the Convention. If we pay the whole bill, then we shall get so many plates, and our Secretary will lock them up in our safe-vault. What good will they do us? Ought not the resolution to be explicit, that this committee shall dispose of these stereotyped plates in diminution of the expense?

Mr. LIVINGSTON, of New York. We are to give the Committee the power to settle. The settlement may be with Messrs. Lippincott—"if we pay you \$100 you may keep the plates," or "we will pay you nothing, and you keep the plates."

Mr. SHEFFEY, of Virginia. I do not understand the amendment as conveying the idea.

Mr. LIVINGSTON, of New York. Perhaps it had better be made clearer. I will put it in this shape: That the Committee be authorized to settle with Messrs. Lippincott & Co., and draw on the Treasurer for the expenses incurred for the printing and stereotyped plates of the said Hymnal, and to dispose of such plates at their discretion in diminution of such expenses."

The amendment was agreed to.

The PRESIDENT. The question now is on concurring in the resolution of the House of Bishops as thus amended.

The resolution was concurred in.

The PRESIDENT. The resolutions having all been gone through *seriatim*, the question now is on concurring with the action of the House of Bishops as a whole, with the amendments already agreed to.

The resolutions, as amended, were concurred in.

MESSAGES FROM THE HOUSE OF BISHOPS.

A message (No. 22) was received from the House of Bishops, announcing that that House had passed the following resolution:

Resolved, That the House of Bishops having had under consideration, at their session yesterday, the subject of the memorial from the rector of the Church of the Holy Trinity, Paris, and having taken action in relation thereto, under the authority of the General Convention, as embodied in clauses 4, 5, and 6, of Section 4 of Canon 5 of Title III., of the Digest, it is deemed inexpedient to concur in the appointment of a joint committee, as requested by the House of Clerical and Lay Deputies, in message No. 21.

A message (No. 23) was received from the House of Bishops announcing that that House had passed the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That Canon 1st, Section 2d, subsection

3, of Title III., of the Digest be amended by adding after the words "in this Church" the words "by securing in person or by deputy at the time and place of every such consecration the signatures of at least three of the consecrating Bishops in the said book of record."

ADDRESSES FROM ENGLAND.

The Rev. Dr. HOWE, of Pennsylvania. I had the honor two or three days ago of being appointed upon a committee to make some response to the addresses that were presented to this House by representatives from the dioceses of Lichfield and Chester in England. On getting the papers into my hands I found that they were addressed to the General Convention of the Protestant Episcopal Church, and that they had been previously read in the House of Bishops before they were presented here. Therefore, the committee to make response to them should be a joint committee, obviously. I propose to reconsider the resolution we passed the other day and to amend it so that it shall read:

Resolved (the House of Bishops concurring), That a Joint Committee, to consist of three members on the part of this House, be appointed to prepare and report a fitting response to the letters of greeting presented on the second day of the session of this Convention from the dioceses of Lichfield and Chester of our Mother Church of England.

The motion to reconsider was agreed to; and the resolution as modified was adopted.

MEMORIALS.

Mr. SHEFFEY, of Virginia. I have had in my hand for several days certain memorials which I feel it to be my duty to present now in order that they may go to the Committee on Canons.

I present the memorial of John Z. Gray, and a large number of clergymen and laymen praying action by the General Convention to carry out the suggestions of the circular letter of "the nine Bishops" on the subject of baptismal regeneration.

Also the memorial of L. W. Bancroft and a large number of clergymen praying greater liberty in the use of the Book of Common Prayer, and asking the passage of a Canon authorizing the omission by clergymen in certain cases and on certain conditions of portions of the Book of Common Prayer.

Also the memorial of Julius E. Grammer and a large number of clergymen praying that the use of the word "presbyter" may be substituted for the word "priest" wherever it occurs in the Book of Common Prayer.

Also the memorial of William Hyde and a large number of clergymen and laymen praying the repeal or amendment of Canon 11, of Title I.

I move that these memorials be referred to the Committee on Canons.

The motion was agreed to.

CHURCH OF IRELAND.

The Rev. Dr. PERRY, of Western New York, submitted the following preamble and resolution, which were adopted:

WHEREAS, in the providence of Almighty God, the Church of Ireland has been called upon to pass through the experience of disestablishment since our last synodical gathering; and

Whereas, the said Church has been left free to shape her future course independent altogether of State control; and

Whereas, the restrictions which have long prevented her Bishops, clergy, and laity from meeting together in Synod have been removed; and

Whereas, in the reassembling of the old national Synods of the Church of Ireland, Bishops, clergy, and laity have been enabled, under the blessing of the great Head of the Church, to work together in measures looking to the continued prosperity, stability, and unity of the ancient and Apostolic Church of Ireland; therefore be it

Resolved (the House of Bishops concurring), That a Joint Committee of the two Houses of this Convention be appointed to prepare and report to this Convention for its adoption, an address of fraternal sympathy to the General Convention of the Church of Ireland, expressive of the interest felt by the Church in the United States in the temporal and spiritual welfare of the Church of Ireland, and of our hearty prayers to Almighty God that peace and prosperity may be the future portion of that ancient and Apostolic Church, built, like our own, on the foundation of the prophets and Apostles, Jesus Christ himself being the corner stone.

USE OF METRICAL PSALMS.

The Rev. Dr. NORTON, of Virginia. I wish to offer a resolution, to be referred to the Committee on Canons, germane to the subject we have considered this morning. I will not detain the House with the information I have collected upon it, but will simply read the resolution and propose its reference:

Resolved (the House of Bishops concurring), That the resolution adopted by the General Convention of 1808, and which is printed at the end of the Hymns now bound with the Prayer Book, viz.: "Whenever the hymns are used at the celebration of Divine service, a portion or portions of the Psalms of David, in metre, shall also be sung," be repealed.

I will merely say that I have looked into this subject by the request of some gentlemen, and have found that it is simply a resolution of the General Convention of that date, and not a rubric. I move, however, to refer the question to the Committee on Canons.

Mr. SMITH, of South Carolina. I move that it be referred to the Committee on the Prayer Book. This has nothing to do with Canons.

Mr. NORTON, of Virginia. It is to repeal a Canon.

Mr. SMITH, of South Carolina. I move to amend the motion by referring the resolution to the Committee on the Prayer Book.

Mr. BATTLE, of North Carolina. If it is possible to refer it to the Committee on the Prayer Book I think it had better be done, for the Committee on Canons have already so much business that, if you refer much more to them, instead of consigning these measures to the tomb of the Capulets, you consign the Committee on Canons to the tomb of the Capulets. [Laughter.]

The Rev. Dr. MEAD, of Connecticut. Hymns and Psalms in metre do not belong to the Prayer

Book, never have been declared to belong to the Prayer Book; and, therefore, I hold it would be highly improper, at this juncture, to recognize the Committee on the Prayer Book as having anything to do with the Psalms in metre and the hymns, simply because printers have bound them up with the Prayer Book. They have nothing to do with the Prayer Book, do not belong to the Prayer Book, and we have passed a resolution that they shall not be bound up with the Prayer Book.

Mr. STEVENSON, of Kentucky. I differ from the learned gentleman from Connecticut. I do not see why everything should go to the Committee on Canons. Certainly that is not according to the precedent of parliamentary proceedings. There may be legislative action in regard to the Prayer Book, and why should not that go to the Committee on the Prayer Book? If we look to our deliberative assemblies we have not only a Committee on the Judiciary, and on the Constitution, but on every particular subject of legislation. Now, if legislation is required in regard to a change of the Prayer Book, why not let that go to the Prayer Book Committee? Why should it necessarily go to the Committee on Canons?

The Rev. Dr. NORTON, of Virginia. Will the gentleman allow me?

Mr. STEVENSON, of Kentucky. Certainly.

The Rev. Dr. NORTON, of Virginia. Because this is of the nature of a Canon.

Mr. STEVENSON, of Kentucky. I beg my friend's pardon; there are committees that can report besides the Committee on Canons. Suppose it is a canon—if it is legislation which affects the Prayer Book, is not the Committee on the Prayer Book the proper committee? They will report such legislation or such change in the canons as is desirable, or will report that a change is inexpedient. It is a mistake to suppose that there is only one committee to which such matters should go, because action may be necessary. So far from it, we should facilitate business, if the labors of the Committee on Canons were subdivided, if there were a committee on legislation, a committee on the Constitution, and a Committee on Canons. We have already a Committee on the Prayer Book; and it does strike me as most anomalous that, because some action is necessary, whether by canon or otherwise, the proposition must therefore go to that particular committee. The Committee on the Prayer Book may be composed of as eminent lawyers as the Committee on Canons. Why shall they not consider it? It does not seem to me that we should lighten the labors of the Committee on Canons, who are now pressed with business.

This is a matter in regard to the Prayer Book; it relates to the Prayer Book because it prescribes the form of worship, and if any Canon is necessary they can report it, and then refer the Canon to the Committee on Canons if that course be deemed proper; but in regard to the expedience it does strike me that there is no difficulty in referring it to the Committee on the Prayer Book, and I think it is the proper committee.

The Rev. Dr. MEAD, of Connecticut. The gentleman does not state the whole point I made, which was that this does not belong to the Prayer Book. I care not whether this resolution goes to the Committee on Expenses, the Committee on the Prayer Book, or the Committee on New Dioceses;

any Committee may take it; but I protest against its being sent to the Committee on the Prayer Book as relating to a matter which is a part of the Prayer Book, for I say it is not.

Mr. SMITH, of South Carolina. It is not a part of the Prayer Book; but it affects our worship, as conducted according to the Prayer Book, and I have always found it in the Prayer Book. It seems to me, therefore, that the Committee on the Prayer Book is the committee which should, at least in the first instance, express its opinion on the subject.

The PRESIDENT. The question is on the last motion made to refer this resolution to the Committee on the Prayer Book.

The motion was agreed to; and the resolution was referred to the Committee on the Prayer Book.

On motion of Mr. Massie, of Virginia, the House adjourned.

TWELFTH DAY.

TUESDAY, October 17, 1871.

Morning Prayer was said by the Rev. Alexander Burgess, D.D., a deputy from the Diocese of Massachusetts, assisted by the Rev. William H. Washburn, a deputy from the Diocese of Maine; and the service was concluded by the Rt. Rev. S. A. McCoskry, D.D., D.C.L., Bishop of Michigan.

The Journal of yesterday's proceedings was read and approved.

CORRECTION.

The Rev. Dr. WILSON, of Central New York. I wish to make a correction in what I said yesterday in regard to the procuring of a copyright for the Hymnal. I said I had been requested to make the statement by the Chairman of the committee, on the part of the House of Bishops. I made that statement under the impression that Bishop Coxe was the Chairman. I was mistaken, and I wish to correct the error.

CHANGE OF REFERENCE OF MEMORIALS.

Mr. SHEFFEY, of Virginia. I presented last evening, just at the conclusion of our proceedings, four memorials which ought properly to have gone to the Committee on the Prayer Book; but as Canons were running in my head, I used the word "Canons" instead of the "Prayer Book." I move to reconsider the action of the House, referring those memorials to the Committee on Canons, in order that I may move their reference to the Committee on the Prayer Book to which they properly belong.

The motion to reconsider was agreed to, and the memorials were referred to the Committee on the Prayer Book.

SUPPLEMENTARY DEPUTY—LEAVES OF ABSENCE.

The Rev. Mr. SHIPMAN, of Kentucky. I beg leave to report from the Committee on Elections, that the certificate of election of the Hon. J. A. Campbell, a supplementary delegate from the Diocese of Louisiana, having been placed in their hands, has been found in due form, and the name of the deputy entered on the roll of the House. Mr. Campbell takes the place of Mr. James McConnell, who declined to act.

The Committee further report that Mr. S. C. Bever, and Mr. John Mitchell, lay deputies from the Diocese of Iowa, ask leave of absence for the remainder of the session, and recommend that leave be granted.

Leave of absence was granted.

UNFINISHED BUSINESS.

The Rev. Dr. Payne, of Albany, from the Committee on Unfinished Business, submitted the following report:

The Committee on Unfinished Business respectfully report that on a review of the Journal of 868, they find that the following are principal matters which require action on the part of this House.

First. The proposed additional cycle, (see page 79, Journal of 1868.)

Second. The proposed amendment to the 5th article of the Constitution. (See page 136.)

Several subjects are in the hands of committees, which may be expected to report to this Convention: First, on communication with the Russo-Greek Church; second, the Italian Reform movement; third, the republication of the early Journals; fourth, a new Hymnal; fifth, to examine the proof-sheets of the Standard Bible; sixth, on friendly intercourse with the Church of Sweden.

Committees were also appointed to report to this Convention on the German translation of the Prayer Book; the French translation of the Prayer Book, and the Swedish translation of the Prayer Book. The Committee on the Prayer Book were ordered to report to this Convention on several subjects, which it is thought unnecessary to enumerate.

On behalf of the Committee,

WILLIAM PAYNE, D.D.,
Chairman.

RULES OF ORDER.

The Rev. Mr. PORTER, of South Carolina. I should like to ask whether the Committee on Rules of Order are not ready to report, and if not, when they will be ready.

Mr. SHEFFEY, of Virginia. I will state that the Chairman of the Committee has the modifications of the rules in his hands. He is absent from his seat at present, but I presume will be ready to report during the day.

MESSAGE REFERRED.

The Rev. Dr. PERRY, of Western New York. I move the reference of Message No. 23 from the House of Bishops, proposing an amendment to Clause 3, Section 2, Canon 1, Title III., which is merely in regard to the action of the registrar of the General Convention in recording the consecration of Bishops, be referred to the Committee on Canons.

The motion was agreed to.

LIMITATION OF DEBATE.

The Rev. Dr. BERKLEY, of Missouri. In pursuance of the suggestion made by the Chair yesterday in reference to the long continuance of the sessions of this House, and that it is very desirable we should begin to look to a rapid transaction of our business, the most important part of which probably is yet to come before the House to be considered here, and with the view that there may be some restriction in the debates of the House on questions that will necessarily come up, probably demanding the attention of the House in a way calculated to absorb its time needlessly, I offer the following resolution:

Resolved, That no member in the future sessions of this House shall be permitted to speak more than ten minutes on any question, and shall be confined to the rule that no person shall speak more than twice in the same debate:

Provided, That this order shall not apply to the Chairman of the standing committees or their representatives.

The PRESIDENT. The latter portion of the resolution in regard to speaking twice is already an order of the House.

The Rev. Dr. HUTTON, of Maryland. I move to amend the resolution by making the time five minutes, and providing that no gentleman speak more than once.

Mr. RUGGLES, of New York. I would propose as an amendment the insertion of the words "except by leave of the House." There may be Constitutional questions to be debated, on which a longer time should be given.

The Rev. Dr. GOODWIN, of Pennsylvania. I rise with great diffidence to say anything on this subject, but I feel bound in conscience to stand here now and protest against this mode of proceeding in a general way and by a general act of this House to restrain the freedom of debate. I know it was done at the last Convention and the Convention next preceding. In prior Conventions it was not done. Now, Mr. President, I first call attention to the fact that the debates of this House, in those Conventions in which this rule was made the rule of the House, will compare most unfavorably with the recorded debates of those sessions of this House in which no such rule prevailed. I call attention, secondly, to the fact that at the last Convention, when this was made the rule of the House, gentlemen were allowed to speak twenty-five minutes on a question, and those on the other side were not allowed to extend their speeches to twenty-five minutes, but were confined to the ten.

Again, sir, as to delaying the business of this House, do we not all know that the exceedingly important business of this House—what we feel to be the great questions to be discussed in this House are yet to come before us? And it is not we who have made speeches, it is not this House who have delayed in the work, that are to blame; I do not say that anybody is to blame; but it is that the committees on those subjects have not brought them before us; and when we have spent our time in working upon less important matters, and making long speeches upon less important matters, then to say that our mouths shall be shut when the great questions that interest the Church come before us, seems to me not the right way of doing business. We must meet what are the necessities of the case. If our committees cannot prepare the most important business that we have to do till the second, or third, or fourth week of our session here, then we must wait longer until we can discuss fairly that work. It is not for the committees to settle such questions, and we simply to record our votes upon them. We should have freedom of debate upon them. If I exceed the proper freedom of debate by making speeches longer than they ought to be, I say to you, sir, and to this House, stop me and I will sit down. When we have discussed any particular great subject here, and the House feel that it has been sufficiently and fully ventilated, then let us say when we will take the vote, or let us say on that particular subject no speeches longer than five minutes, if you please, shall be allowed. We shall then be prepared to act intelli-

gently. But to shut our mouths positively, and to restrain the freedom of debate by a sweeping resolution of this kind, I do not think is consistent with the principles of the Constitution, or with the right and profitable way of doing business in this House, and I believe we shall find in the end that we shall get through our business quite as well without such a rule as with it. If I have heretofore exceeded ten or fifteen minutes in any speech, I am sorry for it; I do not believe I have; and if any other person has, I do not blame him for it; but we must be prudent, and we must be watchful over ourselves, and we must trust one another. Cannot we trust one another? Are we to say to the brethren here, "You cannot be trusted with the prudent use of your tongues?" It seems to me it would be vastly better for us to go further, at least before we adopt such a resolution as this, and not say to the world that we cannot trust ourselves, nor trust one another, in the debates of this House. I would move, therefore, first of all, that this resolution for the present be laid upon the table.

The Rev. Dr. BERKLEY, of Missouri. If the gentleman will give me the opportunity, I should like to say something. I ask him to withdraw his motion.

The Rev. Dr. GOODWIN, of Pennsylvania. If the gentleman desires to say anything, I withdraw the motion.

The Rev. Dr. BERKLEY, of Missouri. I would not have attributed to me for anything in the world a disposition to restrain discussion upon the questions that will come up before the Convention. We have seen what an amount of time has been consumed hitherto in the questions that have arisen here. The Convention usually sits only three weeks, and the middle of next week is the period at which it usually adjourns; and sometimes days before that period the Convention is thinned out, a large number of members going to their homes from necessity. I was apprehensive that if this state of things should follow the usual course, we should be found very probably with a minority Convention, doing the most important work of the House. So far from attempting to restrict gentlemen in the utterance of their sentiments in reference to the questions that are to come up, I would sit here for three months, if I could spare the time, for the purpose of getting the enlightenment which I know I should receive from their discussions; and for fear that anything should be attributed to me of which I am not worthy, I withdraw the resolution.

APPOINTMENT OF COMMITTEES.

The PRESIDENT. The Chair appoints as the Committee on the Addresses from the Dioceses of Lichfield and Chester, England, the same committee appointed heretofore on the part of this House. It is now a joint committee. The Rev. Drs. Howe, of Pennsylvania, and Wheat, of Tennessee, and Mr. Stevenson, of Kentucky, will constitute the committee on the part of the House.

The Committee on the Address to the Church of Ireland will consist of the Rev. Dr. Perry, of Western New York, the Rev. W. F. Adams, of Louisiana, and Mr. Edward McCrady, of South Carolina.

TERRITORIAL DELEGATES.

The Rev. Dr. McNAMARA, of Nebraska. I should like to call up the matter of the Dakota memorial, which was reported upon by the Committee on Canons, but was left as the unfinished business on Friday last. I think the Convention are now prepared to vote upon it. It has been reported favorably by the Committee on Canons, and has been fully argued here. There is no constitutional objection to it, except in the imagination of some very far-seeing lawyers and judges, and I think they are even disposed to give way and allow a very partial representation, indeed, to our missionaries in the outer missionary districts. I hope there will be no serious objection made to the passage of the Canon. I move that the report of the Committee on Canons upon the Dakota memorial giving partial representation to delegates from missionary jurisdictions, which was the unfinished business on Friday last, be now taken up.

Mr. JUDD, of Illinois. I hope the gentleman will not press that motion at present. I think injustice has been done to the House of Bishops by remarks made here this morning, and they ought to be replied to.

The Rev. Dr. McNAMARA, of Nebraska. I cannot yield. I fear that if I do, we shall have a long debate.

Mr. STARK, of Connecticut. I ask the gentleman to yield the floor for a single moment, as I have a resolution which I do not think will excite any debate at this time. I do not propose, myself, to debate it. It is a resolution which is in the nature of an instruction.

The Rev. Dr. McNAMARA, of Nebraska. Every gentleman has a resolution, and I cannot be so accommodating, though I should like to be.

Mr. STARK, of Connecticut. Will the gentleman allow me a word? For four days we have sat here without the order under our rules being reached for the introduction of simple resolutions of inquiry; and this is the earliest opportunity afforded gentlemen for many days to introduce any resolutions at all; and, if we now proceed with the unfinished business, I appeal to him that he is only shutting out the introduction of business which it may be very important for us to dispose of.

The Rev. Dr. McNAMARA, of Nebraska. On last Friday I had the floor on this matter, and the House did not feel disposed to yield one moment that it might be put to a vote. I insist now, with all due deference to every gentleman of the House, on my motion.

Mr. RUGGLES, of New York. The motion is debatable, I believe.

The PRESIDENT. It is.

Mr. STARK, of Connecticut. I appeal to every gentleman of the House not to take up the unfinished business at this time.

Mr. JUDD, of Illinois. I rise to a point of order, that resolutions are now in order before the taking up of the unfinished business, if I recollect the rules aright.

The PRESIDENT. Motions and resolutions are in order, and my understanding of that is that a motion to take up unfinished business is just as lawful a motion as any other. If I am wrong, of

course I shall be corrected by gentlemen who know better.

Mr. JUDD, of Illinois. I have not the rules before me, but I thought the unfinished business came next in order.

The PRESIDENT. There is no special rule of the House on the subject of unfinished business.

The Rev. Dr. PADDOCK, of Long Island. I think the order as I have it, on page 496 of the last journal, states that after the Committees on Prayer Book and on Christian Education, then comes "the unfinished business," then "Special Committees in the order of appointment; petitions and memorials; motions and resolutions"—"unfinished business" coming in before "motions."

The PRESIDENT. That is the Committee on Unfinished Business to make a report, and that Committee has made a report, and we have passed over that. The unfinished business has no precedent here except as it is brought up by motion.

Mr. SMITH, of North Carolina. It seems to me the remarks of the gentleman from Illinois are correct. We must go through the regular business of the House, unless a motion is made to set aside the regular business, and I think after calling for the reports of committees, the first thing is resolutions and motions. When we get through them the other motion will be in order.

The PRESIDENT. I can only submit to the House the decision I have made. I cannot understand the rules in any other way. I appeal to the gentleman from Virginia who has been so kind as to help us heretofore.

Mr. SHEFFEY, of Virginia. The Chair seems to me to be perfectly correct in the decision. A motion is in order or a resolution is in order. A motion can be only in respect to some matter of business that has heretofore been before the House or to adjourn. The unfinished business under your rule, lies subject to call or motion, and when you move to take it up under the fourth subdivision of the order of procedure, that is one of the motions that is in order. I submit that the Chair is right in its ruling. It is for the House to determine whether it will take up that subject or receive other resolutions.

The PRESIDENT. The House can settle this question by voting to take up the unfinished business mentioned by the gentleman from Nebraska, or by refusing to take it up and allowing other resolutions to be offered. The question is on his motion.

The motion was agreed to, there being on a division, ayes 120, noes 55.

The House accordingly resumed the consideration of the following proposed Canon, reported from the Committee on Canons:

"Canon Authorizing the Appointment of Delegates from Missionary Jurisdictions:

"The Standing Committee in any Missionary Jurisdiction of this Church, or if there be none, a convocation, consisting of the clergymen and laymen in any such jurisdiction, may, with the concurrence

of the Bishop, send one clerical and one lay delegate to any General Convention of the Protestant Episcopal Church in the United States of America. Such delegates shall be entitled to seats on the floor of the House of Clerical and Lay Deputies, and may speak on any question directly and specially affecting their respective jurisdictions, and no others, and shall not have the right to vote, or otherwise take part in the business of the House."

Mr. BATTLE, of North Carolina. Mr. President, when the House last had this subject under consideration, I had very nearly concluded all the remarks I wished to submit. I was sorry to learn that many of my remarks were not heard by some of the gentlemen in some portions of the House. If they will take the pains to read the report of my remarks, contained in the daily report of the proceedings of this body, as published in *THE CHURCHMAN*, they will find them very accurately reported. I was about to say, and probably I might say, with truth, that my remarks were reported with miraculous accuracy, for I really was astonished to find that, notwithstanding the disorder and confusion which sometimes prevail in the House, the gentlemen who report the proceedings of the House can take down everything that is said by every member. This was certainly the case with my remarks. I will detain the House but a few moments longer.

I called the attention of the House to the fact that, in my judgment, our Constitution prohibited us from passing the proposed Canon, and on that ground many of us cannot vote for it. Our Constitution provides for those who shall constitute members of this House. Now I declare, as my solemn conviction, that we have no right to introduce into this House any other person, either as a member or as a delegate, who will exercise influence in the proceedings of this House. If you do so, you necessarily introduce into this body a member, or if you do not call him a member, a delegate, who will exercise an influence in this House not permitted by the Constitution. You give him the right to be heard on any question affecting his territory. If what he says has no influence, then his presence is entirely unnecessary to invite him to attend here; but if what he says has influence, and if he has such powers of eloquence that he may lead us to do right or he may lead us to do wrong, he becomes a fractional part, if nothing else, of this Convention. Now, sir, I say that is prohibited by our Constitution.

Mr. WHITTLE, of Georgia. Allow me to inquire what article of the Constitution prohibits it.

Mr. BATTLE, of North Carolina. I do not think we are to inquire what it prohibits; but we are to inquire what is granted by it, and everything not granted to us is prohibited. But if the gentleman wants to know what prohibits it, I say this clause of the Constitution prohibits it: "And in all business of the Convention freedom of debate shall be allowed." "Freedom of debate"—among whom? Among the members of the Convention. Suppose we introduce here some twenty men, for every Ter-

ritory will be entitled to two delegates, one clerical and one lay delegate, and we have as Missionary Territories, Montana, Idaho, Utah, New Mexico, Greece, Africa, China, and perhaps several others; I do not know that I have enumerated them all. Suppose each has one clerical and one lay delegate, then we shall have just double the number of our Territories; we shall have all these men here with the right to speak. If this is granted it must be under the Constitution; and if they have a constitutional right to speak on every subject affecting their Territory, will not that interfere with the freedom of debate of members of this body? When that clause was put in the Constitution it was never contemplated that any such freedom of debate should be affected or circumscribed in the least degree by the introduction of others with the right to speak. Suppose these gentlemen come in, each man may speak one or two hours; there is nothing to limit the right of members of the body to be heard to any extent.

Now, Mr. President and gentlemen, where is the Article of the Constitution that gives us the power to admit these delegates? The only ground I have heard yet assigned is one arising from analogy to what is done in Congress. I say that has no application here whatever. Every person who will refer to the Constitution of the United States will find that by its terms the Territories are placed directly under the control of Congress in so many words. The Constitution of the United States expressly authorizes Congress to pass every rule and regulation that is necessary for the government of the Territories. That is an express grant of power to Congress, but besides that power there is another express grant to Congress of the power to imply everything that is necessary to carry the previous express powers into effect. It is under that provision that Congress has introduced persons from Territories who are allowed to attend and sit there, and speak on matters relating to their respective Territories, but are not members of the House. They are called there under these two clauses of the Constitution, Congress deeming that to be a proper rule, a proper regulation for the government of the Territories. Have we anything like that here? There is nothing like it in any Article of our Constitution. There is not a word said there about our missionary jurisdictions, and the only connection whatever that gentlemen claim is what they derive not from our own Constitution, but from the fact that many years ago this Convention adopted and gave to the Board of Missions a Constitution for its guidance. On that ground gentlemen seem to imply that the territory under the jurisdiction of the Board of Missions has some connection with this Convention. Thus, gentlemen who advocate this proposition, imply the power to pass it not from from anything in our own Constitution, but from the Constitution of our creature. Is not that the most extraordinary implication that ever was heard of? The Constitution of our Church was adopted in 1789, and some thirty years afterward the Constitution of

the Missionary Board was adopted by this Convention, and laid down for the government of that Board, and it is now proposed that we shall imply from that Constitution of theirs something to be introduced into our own Constitution.

It may be said that I am too strict, that I am for being governed by the letter of the law. Now, sir, I do not think that we are to be governed merely by the strict letter of the Constitution, or the strict letter of any other instrument of any kind, that is put in writing. Language is not perfect, and it does not always express the precise idea sought to be conveyed. Unfortunately, none of us have acquired the ability to use every word in the precise sense in which it ought to be used. For that reason we are not to be governed by very strict rules. I will cite to the Convention a celebrated case that occurred in Italy, many years ago, to show that we cannot be governed by any such strict rule. I do not pretend to be so governed. In the Italian town of Bologna, there was a law passed that he who drew blood in the street, should suffer a very severe penalty. On one occasion, a man fell down in a fit. A surgeon was called, and he saw that he must bleed the man to save his life, and he did so. This is not an imaginary case, but one that is recorded. The surgeon was called upon to answer before the tribunal for his offence; and it was proved that he had drawn blood in the street. The Court held, however, that although he was within the strict letter of the law, yet he was not within its spirit. Here was a man who had performed an act of necessity, of charity; instead of destroying human life, he was attempting to save it. Of course, then he could not be judged by the strict letter of the law, but by the spirit and meaning of it.

That is all that I contend for here. I say, looking over our Constitution of ten articles, there is nothing in it which allows such a proposition as that now pending to be made. I do not say that we are to be governed by the letter of it, but by its spirit; and while I am not for a strict literal construction, I am as much opposed to a wide and latitudinarian construction, for if you admit such a construction as that, we might as well have no Constitution at all.

Men may say, "We want to do something, and we must stretch the Constitution, and therefore we will imply power here and we will strike out something there, and in that way we will accomplish our purpose; we will not go according to the letter or spirit of the Constitution, but we will do something a little extra-Constitutional." I think indeed that term has been actually used by some gentleman in the debate.

I have already said that I think the construction by which we imply a power in our own Constitution by something taken from the Constitution of another body, our own creature, is the most extraordinary thing I ever heard of. I cannot remember any instance at all comparable to it, except that of a sermon which I once heard preached by the very eccentric and celebrated Lorenzo Dow. On one occasion he wanted to preach against what he considered an unseemly ornament then worn by ladies on the tops of their heads, commonly called a top-knot. He selected for his text a portion of the words, "Let those on the house-top not come down." By striking out a portion of the

text, he took for his text simply "Top-knot come down." [Laughter.] That is exactly in the spirit of those who contend that we should go down to a Constitution provided for our own creature to get something to put in our own Constitution. I am opposed to any such principle of construction.

Those who think that this measure ought to be carried out, should bring forward at once an amendment to the Constitution. In that amendment let provision be made, such as they deem proper for this case, and let it regulate the conduct of these delegates when in this House; but I beseech the members of this body not to be in too great a hurry. If an amendment to the Constitution is proposed now, it may become operative at the next Convention, and then these gentlemen can be introduced. Instead of now passing this proposed canon, let us pass an amendment to the Constitution, and then we can all, in good conscience, invite these gentlemen to seats under such regulations as we deem proper.

Mr. RUGGLES, of New York. Mr. President, the discussion of this matter has brought to view questions of fundamental importance to this Church, especially the proposition which has just fallen from my most respected friend from North Carolina. The gentleman assumes as the basis of his argument that this Convention has no right to exercise any power over any subject not expressly delegated in terms by the Constitution, to which we, on the other side, reply that we contend that being a great national Church, a great unit, a part of the universal Church, this Convention has the power to exercise any right properly inherent in a great national Church and not prohibited by the Constitution. That is the wide difference between us. Gentlemen will see at once how grave and important it is. We claim original right as a great national Church. They claim that we are a mere derivative body, derived from the dioceses, and that all power not granted by the dioceses to us remains with them.

If that be true I would ask, where did we get the authority to establish the Board of Missions? Show me the clause in the Constitution that gives us the power to establish a Board of Missions or do any missionary work? Where do we find the power to do all or any of the great things we are constantly doing, assuming to be a great united national Church?

If we are a mere aggregation, a derivative of these dioceses, a mere Federate Union, a mere flotilla of forty gun-boats lashed together, and not a line of battle ship, which I claim we are, where did we get the power to do nearly all the acts of legislation that, for the last sixty years we have placed on our statute book? I claim that it is necessary for our existence, for the dignity of this Church, for all its usefulness hereafter, that we should now and here assert distinctly our powers as a National Church. This Convention should not rise until we do thus declare our intention to exercise, wherever necessary, our national powers.

My friend has spoken of *extra* constitutional measures—to some a very painful phrase, and yet, not without its uses. We first heard it when Mr. Jefferson, was the President of our little Republic, hemmed in by the Mississippi river on the West and having no access to the Gulf of Mexico on the South. Mr. Jefferson, although a strict constructionist, assumed what his friends denominated the extra-constitutional power to enlarge this little Republic of ours, by spreading westward to the Pacific. The necessary

self-preservation of this Republic, required that it should be thus enlarged; and now, by parity of reasoning, a similar necessity may be claimed for the Church. When the Western half of the Continent was thus acquired, this little Church had but seven dioceses; this General Convention consisted of only twenty-seven members. It was a petty provincial Church, occupying only a narrow division of this country, that mere strip lying east of the Mississippi river. When that great act of Statesmanship was accomplished by Mr. Jefferson, the receptacle of the Church, so to speak, which up to that time had been a portion of this Continent, became the whole, imparting to the Church continental rank and dignity. Over that new Territory, West of the Mississippi river, we already have nine organized dioceses, more than we had when Mr. Jefferson acquired Louisiana not to speak of the five great Missionary jurisdictions.

Now, I claim under the broad power not prohibited which we have as a Church, we have the right to admit these delegates from the Missionary Jurisdictions. I would call the attention of the House to the provision in the Constitution which limits the number of "representatives" to "not more than four" from each diocese; but these delegates are not representatives. A representative is he who can vote. His power on this body is manifested only by voting; but he who cannot vote, who, in a word, cannot act, cannot be a representative. He comes here an invited delegate, but not a representative. This is my answer to the technical constitutional objection; but I must also meet the broader objection urged by my learned friend, and with which I take issue altogether, that these delegates will exercise an undue influence over us, our deliberations, and consequent action. That is the point which he dwells on. The learned deputy earnestly insists upon the dangerous influence that these delegates from our outlying jurisdictions may exercise over us. He thinks it contrary to the spirit of the Constitution that they should have any influence. Now, I claim on the contrary, that their influence would be highly beneficial and highly desirable. It is very affirmatively desirable that we should be influenced by all or any who may shed light on this most interesting subject of our Missionary efforts. Have we not just been most largely influenced by the flood of light poured out from that platform by the Bishop of Lichfield, the great apostle of the Southern hemisphere? Did he not come into this House expressly to influence us, and has not every member of this House been influenced in fact in the most remarkable manner by the statements and teachings of that delegate from the elder branch of the Anglican Church? Do we regard that influence as dangerous or unconstitutional in spirit? Has it not lifted up the whole Church to a new level; to an elevation from which we disdain all petty differences? Has it not inaugurated a new era in the history of our Church?

Has he not most instructively taught us the great duty of this branch of the Universal Church in union with all the English-speaking branches to secure the evangelization of the whole dark world of heathendom by the united and unceasing efforts of universal Christendom illumined by the light of Christian revelation!

Now, Mr. President, I maintain that the pending resolution for admitting to seats on the floor, delegates from our Missionary jurisdictions as portions of the one Universal Church, forms part and parcel of one series of movements and measures intended practically to carry out the majestic world-wide plan thus

spread before us. I maintain that the delegates from these Missionary jurisdictions form part and parcel of the mighty forces required for such a world-wide task. I maintain that any influence these delegates may exercise over our deliberations, will be positively beneficial and desirable. I wish to see them thus visibly exhibiting that interest in the common cause. They would not fill more than three or four of these pews. For one I desire to listen to their statements from our vast interior. I would like to see Indian delegates from these regions once so savage. I particularly wish also to see Chinese, and even African delegates, that they may visibly represent our Church truly—not as being confined to our own Continent, but as a branch of the great Church Catholic, recognizing all nations, of every color and race.

The PRESIDENT. The hour of 12 o'clock has arrived when the order of the day is to be before the House.

Several DEPUTIES. Let the gentleman proceed.

The PRESIDENT. The gentleman from New York will proceed till the order of the day is called for.

Mr. RUGGLES, of New York. I will conclude by repeating that this measure of introducing delegates from these missionary jurisdictions on this floor forms part and parcel of that great series of movements and measures that have been initiated in this great Convention which must remain forever signal in the history of this Church; we should shape our action, therefore, from the elevated point of view which we have now attained, disclosing the great field of labor on which we are to enter with increased hope and vigor. From such an elevated height we may well regard these delegates from our interior as the stepping stones by which we bridge this continent from ocean to ocean,—as the bridge by which we reach the Pacific, and from the shores of that Pacific look directly out upon Eastern Asia, with its immense accumulation of heathen population, which it is the duty of the universal Church to convert to the Cross of Christ.

Several Deputies called for the order of the day.

The PRESIDENT. The order of the day is called for.

The Rev. Dr. HARE, of Pennsylvania. I have been requested by the Committee on the subject, to which we now under the rules come, to make some explanations to this House. Is it timely to do it now?

Mr. KING, of Long Island. I suggest that the order of the day be postponed for ten minutes, nine minutes for discussion, and the extra minute for voting.

Mr. McCRADY, of South Carolina. I give notice that I am certainly going to occupy five or ten minutes on the subject which has been discussed. I think we had better go on with the order of the day.

The PRESIDENT. The order of the day now comes up, which is the report of the Joint Committee on Theological Education.

CANONS ON ORDINATION.

The Rev. Dr. HARE, of Pennsylvania. The Committee was appointed, it will be remembered, at the last session of the General Convention in 1868. It began to hold meetings as early as the

following year, 1869. It held meetings again in 1870, as well as in the present year. The report was written by Bishop Williams, and the Canons in the projected form were drawn up by Bishop Whittingham. In almost all particulars, if not in all particulars, this project is unanimously presented to this House by the Committee. What is proposed is that the projected Canons in this pamphlet before the House, numbered from 2 to 9, shall take the place of the Canons in the existing digest of Title I., numbered from 2 to 9. Since the printing of the pamphlet, which is in the hands of many members of the House, the Committee have taken later action.

The misprints appear in the printed "corrigenda" prefixed to the pamphlet. The later action of the Committee will appear from the reading of Secretary who has been furnished with the copy. I move that the Canons be taken up one by one.

The motion was agreed to.

The SECRETARY proceeded to read the first Canon, proposed by the Committee.

Mr. BURGWIN, of Pittsburgh. For the purpose of giving members an opportunity of reading this document and saving time, I move that the further consideration be postponed until to-morrow at eleven o'clock and made the order of the day then. We can save time by reading this at our rooms this evening and then be prepared for discussion to-morrow.

The Rev. Dr. HAIGHT, of New York. There is a special order for to-morrow.

Mr. BURGWIN, of Pittsburgh. At twelve o'clock.

The Rev. Dr. HAIGHT, of New York. But you cannot dispose of this in an hour.

Mr. BURGWIN, of Pittsburgh. We can save the time we are now spending in reading it over.

The Rev. Dr. HAIGHT, of New York. The days of the session are drawing to a close, and I think we had better continue what we have in hand.

The Rev. Dr. HARE, of Pennsylvania. Perhaps it would meet the views of some of the members of the House if it were to be pointed out to them how the latest action of the committee represents things differently from the printed pamphlet. A case in point is that sub-section which has been just read by the Secretary. That reads in the printed book: "But if the postulant desiring to be candidate for the priesthood be not a graduate as aforesaid, he shall be remitted by the Bishop to the examiners of candidates for priesthood for examination in such studies and branches of learning as they shall deem equivalent, as preparatory for the theological studies, to a degree in arts." As it is proposed, it runs from the middle of the fourth line, "for examination as prescribed in the Canon of examinations." Perhaps it would meet the views of those gentlemen who protest against the reading of the whole if the Secretary were only to read such passages of the pamphlet in his hand as are marked as exhibiting the latest action of the committee.

Several DEPUTIES. Go on, read it all.

The SECRETARY continued the reading of the proposed Canon 2 of Title I.

The Rev. Mr. HANCKEL, of Virginia. We have heard from the committee what changes have been made. I submit that it will be more fresh in the minds of all the members if we take the vote upon that Canon at once before reading the rest.

The PRESIDENT. That would be the proper course.

The Rev. Mr. MAGILL, of Indiana. As the report as read by the Secretary differs in several respects from that which is in the hands of the members, I should like to ask if the report read by the Secretary is the true report coming from the committee, or whether the one in our hands is the correct one.

The Rev. Dr. HARE, of Pennsylvania. The report read by the Secretary is the authorized report of the committee. The printed report, beside containing some typographical errors, contains particulars in which the more mature action of the committee differed from its earlier action.

The Rev. Dr. PADDOCK, of Long Island. I desire to ask whether the question now before the House is the adoption of this Canon 2?

The PRESIDENT. Yes, sir.

The Rev. Dr. PADDOCK, of Long Island. I think it would very much facilitate matters if the chairman of the committee on the part of this House would state in what respects this somewhat voluminous Canon essentially differs from the several Canons touching on the same subject in the old code. I observe but one of any importance which I have especially noted, and if he will be so kind, when he states in what points this differs from the old rule of the Church, I ask him to explain why it is that the entire responsibility of the postulant's procedure in his intention to seek the sacred ministry is placed in his pastor. The first line of the second sub-section of section 2, on the first page of the Canon reads, "If counselled to persevere in his intention." Counselled by whom? By his spiritual pastor or rector; so that if the spiritual pastor or rector of any young man should be pleased, in the exercise of his judgment and discretion, to discourage the young man from seeking the sacred ministry, that young man is necessarily debarred from any further action. I ask if that is the intention of the committee who have placed this report before us.

The Rev. Dr. HARE, of Pennsylvania. I was instructed to do the very thing which I understood the gentleman to ask, but I did not do it in the first instance, because it would be improper to occupy the time of the House until the thing was called up.

The particulars in which the proposed Canon 2 differs from Canon 2 of the Digest, are these: The provision in the first section meant to remove the contradiction in the Digest between the first and second sections, the provision which declares that certain aspirants to the ministry not yet recognized as candidates, shall have the name of postulants.

The next section provides that the pastor shall be introduced. When it is said at the beginning

of the next sub-section that the aspirant if counselled to persevere in his intention, shall then proceed to the Bishop, something is enjoined upon such an aspirant; but there was no intention to say, and it is not said, that if the aspirant have no such counsel, he shall not proceed to the Bishop. Further, in this section it is more specifically provided how the aspirant shall present himself to the Bishop, and that is new. At the head of page 4 it is said that the aspirant must give notice to the Bishop of the diocese, and that such notice can be received by no Bishop but the Bishop of the diocese in which the aspirant resides. Further, it is provided that in case an aspirant applied to a Bishop who has been already refused admission, or ceased to be a candidate, his certificate of the fact must be laid before the Bishop as new, and also must, by the Bishop, be laid before the Standing Committee of the diocese in which the second application shall be made.

Again, the testimonial in favor of a postulant for candidateship must be based upon the personal knowledge and belief of the persons testifying. It need not, as now, certify that he is fit for the ministry. It must certify that he possesses such qualifications as fit him for entrance on a course of preparation for the ministry. As a rule, again, such testimonial must be signed by the rector and a majority of the vestry of the parish or congregation to which the postulant may belong, exceptions to the rule being allowed. Further, when the Standing Committee testify in favor of a postulant, they must be satisfied—this, again, is new—that there is no sufficient objection to the person on grounds either physical, intellectual, moral, or religious.

Mr. McCRADY, of South Carolina. Just there allow me one word. I beg to say if gentlemen think this subject can be disposed of in a few minutes, they are very much mistaken. There is no gentleman who has had experience on a Standing Committee, and especially the experience I have had, who will not respond to me when I say that these Canons have given us infinite difficulty, and if you pass this Canon now without due consideration, you will just leave us exactly where we are now. We must have all of these Canons read before we can go on and act upon them. Now, in regard to the point before us, I wish to ask a question. I see that when the postulant, even before he is a candidate, obtains a certificate and has got it, that that stands him in stead afterward, when he comes to higher Orders.

The Rev. Dr. HARE, of Pennsylvania. By no means. That is provided for in another Canon.

Mr. McCRADY, of South Carolina. See that. How can we, unless we have the whole of these Canons read, know what we are at? We shall be perplexed all the time, unless we go through with the reading. Let these amended Canons be read, and then we shall understand what we are doing.

The Rev. Dr. HARE, of Pennsylvania. One of the difficulties in our present Canons is, that they

are scattered far and wide in the Digest, and sometimes not under the heads to which they belong. The first proposed Canon relates to the admission of persons as candidates for Holy Orders, and to nothing else. The second Canon speaks of admitted candidates, and of nothing else. Other Canons speak under the headings of the several projects of Canons of the points there mentioned, and of nothing else,

The Rev. Dr. ADAMS, of Wisconsin. I have been interested in theological education for many years, and I want to bring forward a little matter that lies on the face of this Canon, which, I conceive, is injurious to every theological seminary in the country:

"Such notice must be given to the Bishop of the diocese in which the person is actually resident, and can be received by none other."

Now, I ask what actual residence there means? The first is civil residence—

Mr. SHEFFEY, of Virginia. Will the clerical deputy from Wisconsin forbear for one moment? I respectfully ask the members of the House to allow the learned deputy, the chairman of this committee, to proceed with his explanation of the first Canon, without further interruption. If we inject these discussions as he goes on, we shall never have any intelligent view of what the committee intend by the general scope of their recommended Canon. When he gets through, I shall propose, if no one else does, that this Canon be taken up section by section, which is the proper way; or, if the House unanimously agree to that, adopt it as an entire thing, and then it will be open for amendment.

The Rev. Dr. ADAMS, of Wisconsin. If I have the floor, I beg leave to withdraw, in deference to the suggestion of the gentleman from Virginia.

The PRESIDENT. I would suggest whether it would not be the pleasure of the House and of the chairman of the committee for him also not only to state the matters connected with the first Canon, but in his introductory remarks to go over the whole ground and state why we are amending it.

The Rev. Dr. HARE, of Pennsylvania. I understand, sir, that one reason why it is proposed to amend is that the present Digest, so far as it relates to the candidates for the ministry, is next to unintelligible; at least, it requires a thorough Canonist to understand it. But the principal effort of the committee was so to arrange the Canons as that on the one hand the ministry might be multiplied as far as might be, and, on the other hand, to secure that improper persons, whether improper for want of proper education, or other cause, should not be received into the ministry.

If that meets the inquiry of the Chair, I will proceed to say that the next new thing is in Section 4 of this Canon, page 6, requiring the Bishop, after receiving from the Standing Committee the testimonial required, solemnly to cause the postulant "to make signification of his intention, whether it be to become a candidate for the office

and administration of a Deacon only, or to be a candidate for the Priesthood also."

Again, it is provided that when a diploma is presented, the presentation shall be to the Bishop, not as now, to the Standing Committee; that it shall only be when the Bishop is not fully satisfied of the sufficiency of the diploma, that the thing shall be remitted to the Standing Committee of the diocese. It is provided further that the Bishop shall remit a person who is without a diploma, to the Examiners of Candidates, for examination. It is also provided that whenever the Bishop admits a candidate, he shall give to the candidate written notice of his admission—a thing, the want of which has, to my certain knowledge, given great trouble in some of the dioceses.

The Rev. Dr. VINTON, of Massachusetts. I suggest to the reverend gentlemen that when he refers to a new paragraph, he give us the section and sub-section.

The Rev. Dr. HARE, of Pennsylvania. I will do so with pleasure. I did not do so before, only because I was desirous of using as few words as possible.

I refer now to Canon 1, Section 5, sub-section 1, at the foot of page 7, which reads:

"A Postulant for admission to candidateship desiring to become *candidate for the office and administration of a Deacon only*, must present to the Bishop, at the time of signification of such desire, certificates from two or more learned Presbyters, that on their personal knowledge of him, and actual examination for further satisfaction, they deem him to possess such personal qualification, and to have attained such proficiency in the English language and learning, and in particular in the art of reading aloud, and such general acquaintance with the Holy Scriptures and the Book of Common Prayer, as justify the expectation of his usefulness in the office of Deacon, when thereto admitted, after due trial and preparation in his candidateship."

In the same section, section 5, sub-section 3, it is provided that—

"A candidate for Deacon's Orders may become a candidate for Priest's Orders by signifying to the Bishop his desire," etc.

The application of the candidate is to be to the Bishop, not, as under the present Canons, to the Standing Committee.

Then it is provided in Section 6, sub-section 1, at the foot of page 8, that when the benefit of the dispensing Canon is desired, the first communication of the wish must be to the Bishop.

In the same section, Section 6, sub-section 3, it is provided:

"On the receipt of such testimonial, the Standing Committee, by a vote of two thirds of all the members thereof, may proceed to recommend the applicant to the Bishop for the dispensation asked."

The benefit of the dispensing Canon is not to be granted by the vote of a mere majority, but it is proposed to require the vote of two thirds of the Standing Committee.

The Rev. Dr. HOWE, of Pennsylvania. Not a majority of those present, but two thirds of the members of the Standing Committee.

The Rev. Dr. HARE, of Pennsylvania. "By a vote of two thirds of all the members thereof" is the express language.

In the same section, sub-section 5, it is provided that while the Bishop is to continue to have the whole discretion of the dispensation with regard to the Hebrew language, it must be shown to the Bishop that the attainment of this language by the candidate is impracticable.

These are the only new matters in the second of the proposed Canons.

Mr. DEROSSET, of North Carolina. I was struck in reading this canon with an expression in the form of the testimonial required at the foot of the 4th page, and the same expression in the form of testimonial to be subsequently given by the Standing Committee at the foot of page 5. The expression to which I allude is this:

"And do furthermore declare that, in our opinion, he possesses such qualifications as fit him for entrance on a course of preparation for the Holy Ministry, with prospect of advantage to himself and to the Church."

It appeared to me that the expression of the motive here was not a proper one, that the person should not consider it of advantage to himself. I think that should be left out of the testimonial at least. I should like to hear from the committee on this point.

The Rev. Dr. HARE, of Pennsylvania. I do not think the point was raised in the committee, but I take it for granted that such considerations as this were in the minds of members of the committee: that many individual aspirants to the ministry, if they but know the truth, would know that they were persons who should rather go to some handicraft, that they could not exercise the ministry to the benefit of themselves any more than to the benefit of the Church; and therefore it is required of the vestry testifying that they shall express something to the effect that the person will minister to the advantage of himself as well as of the Church. Again, he may be a man subject to fits of epilepsy. Is it desirable that such a person should be received into the ministry to become in all probability an applicant for the charity of the Church? It would be better for him to go to some other occupation in which a person thus physically afflicted may, notwithstanding the disease, do well for himself as well as for the Church.

Mr. DEROSSET, of North Carolina. It appears to me that those considerations apply in considering the advantage to the Church. If from physical disability or any other cause a person was not considered a suitable candidate for the office in the view of the advantage of the Church, then I should suppose it would not be necessary to introduce this clause. It is a new thing. It has not appeared in any form of testimonials that I have heretofore seen. At any rate it presents itself in this view to me.

The Rev. Mr. HANCKEL, of Virginia. The context reads: "for entrance on a course of preparation for the Holy Ministry, with prospect of advantage to himself." "Course of preparation" means intellectual preparation. The candidate may be so wanting that there may be no prospect whatever of advantage to himself intellectually.

I do not think the Committee were under any fears that they would be understood in the sense of pecuniary advantage, but spiritual advantage.

The Rev. Dr. CLARK, of New Jersey. There is one word in the third line from the bottom of page 7 which strikes me as quite unnecessary. I refer to the word "learned" before "Presbyters." Men of the most learning are apt not to claim it most for themselves. It is to be presumed that if they are presbyters, they know something, and there are very few gentlemen who would like to sign their names as learned presbyters. I know I should not, because I am not one.

The Rev. Dr. CADY, of New York. I move that this Canon be taken up by sections and sub-sections, and then these criticisms will be in order.

Mr. WITHERS, of Virginia. I second that motion. We shall never get through, if we go flying here, there, and everywhere over these Canons.

The Rev. Dr. GOODWIN, of Pennsylvania. It will be proper for me to make a motion, which I propose to make, at this point, because I have some things in hand which will apply to various parts and sub-sections of the Canon proposed, and before the House has confined its attention to the first sub-section, for example, I desire to bring before it that which I had intended to propose. The clerical deputy from Long Island has called attention to a point which seems to me to be of great importance in the second sub-section.

Mr. SHEFFEY, of Virginia. Let us dispose of the first sub-section first.

The Rev. Dr. GOODWIN, of Pennsylvania. When we come to that, I shall have something to say. What I have to say now, is this: I shall move to substitute, as a general matter of phraseology, the word "applicant" for "postulant," and that will tell my whole story. My reason, I suppose, would commend itself to the ear of almost every member of this Convention. I think it is not desirable to introduce new, strange, technical words to be brought to the ears and to the notice of young men, at their very first look toward this Church, to puzzle them at the very first step with an extraordinary, learned, unusual term. That is the general reason. If "applicant" will answer the purpose of "postulant" grammatically, and according to the sense of the different parts of this Canon, I so much prefer it that I cannot restrain my disposition to offer an amendment. I have great regard, I need not say, for the learning and discretion of the members of the committee, and particularly of that great man who is said to have drawn up these Canons, and it is with the greatest diffidence that I stand here to suggest the slightest alteration in the phraseology, as a mere matter of phraseology, and yet this seems to me to be one that deserves attention. I ask to be excused for bringing it forward.

I have stated the general point, which is enough; but lest it should be said that the phraseology of the various parts of the Canon is such that you cannot consistently with the connection, substitute everywhere this word "applicant," I beg to point out the details, which I will do in the briefest manner. First, strike out "while a postulant" on page 1, sub-section 2, which is entirely unnecessary, so that it will read:

"Or, if not so prepared, where he proposes to prosecute preparatory studies, and whether he expects or desires aid in such studies."

Secondly, for "postulant for" on page 4, section 3, sub-section 1, line 1, substitute "person desiring."

I propose that substitution because of "applicant" and "apply" coming constantly in that same paragraph, as a mere matter of agreeable phraseology.

The Rev. Dr. CADY, of New York. I rise to a point of order. My motion was that the first sub-section should be taken up and considered, and the gentleman is making his remarks in reference to other portions of the Canon.

The PRESIDENT. The gentleman from Pennsylvania rose for the purpose of showing generally why he proposed an amendment in the first instance to the first clause.

The Rev. Dr. CADY, of New York. May I ask if he has moved that the word "postulant" in the first sub-section of the first section be changed?

The PRESIDENT. He has not made that motion. He is giving his reasons why he expects to make it when that section alone is under consideration.

The Rev. Dr. GOODWIN, of Pennsylvania. The first sub-section of the first section has not been taken up by this House.

The Rev. Dr. CADY, of New York. My motion, however, was to take it up.

The Rev. Dr. GOODWIN, of Pennsylvania. But that does not bind me until this House takes it up.

The Rev. Dr. CADY, of New York. I simply inquire whether the gentleman is in order in discussing the word "postulant" where it occurs throughout this Canon, when my motion was to take up the first sub-section of the first section, and that motion was seconded.

The Rev. Dr. GOODWIN, of Pennsylvania. There would be good reason for not taking it up if there were good reason to consider some general changes and their bearing upon the whole Canon before we take it up. If I should move to substitute "applicant" for "postulant" in the first sub-section, immediately the whole question is raised, what shall we do with the rest?

The Rev. Dr. CADY, of New York. Then you would be strictly in order.

The Rev. Dr. VINTON, of Massachusetts. If my Reverend friend from Pennsylvania will allow me, I suggest to him to move his amendment and allow the question to be taken in this first sub-section, in order that we may test the opinion of the House on this subject. There is the critical point: Will the House admit the alteration of the word "postulant" throughout the Canon? If he proposes under that motion to strike out the word "postulant" and substitute "applicant" there, and the House agree to it, he may take it as a sign that the House will agree to the alteration throughout. If the House will not agree, he may then take it as an indication that the House is unfavorable to that change throughout and he need not spend any more time in going over the particular instances where it occurs.

The PRESIDENT. But I understand the gentleman from Pennsylvania has not yet finished his argument on that very point, and he is entitled to an opportunity to finish it.

The Rev. Dr. GOODWIN, of Pennsylvania. Precisely; and I shall be as brief as possible about it.

Third, for "postulant" on pages 6, 7, 10 and 11, substitute on page 6, line 2 of sub-section 7, also in 1 line of sub-section 2, of section 4, also on page 7, line 1, of sub-section 3, also on page 10, line 2 of sub-section 4, and on page 11, line 1, of sub-section 6, and line 1, of sub-section 7, the word "person" for the word "postulant."

Fourthly, for "postulant" substitute "applicant" everywhere else in fifteen or sixteen places, and there will be no trouble as I apprehend.

Now, Mr. President, I have to say two or three things further upon this. If the mere desire to become a candidate in this Church makes a man a postulant, I should be out of place; my proposition could not be fairly entertained. I think, however, that the mere desire to become a candidate does not make a man a postulant, nor therefore an applicant, and "applicant" answers as well.

Again, the committee did not find occasion to use the word "postulant," in connection with persons desiring and proposing and making preliminary arrangements, until they came to the bottom of the first page; and there it is entirely unnecessary in any event. The canon goes on to prescribe simply preliminary, preparatory methods and modes of proceeding, to the person who is to make his application, and chooses to become an applicant.

Again, on the 4th page the Committee used the words, "Such notice must be given;" on the top of the page, in sub-section 4, "such application," and in sub-section 5, "such application;" thereby recognizing distinctly the idea that here is an application,

Again, on the 9th page in the 3d sub-section, and in the 4th sub-section, the Committee, speaking like human beings, in the simplicity of the English language, inadvertently used the word "applicant," according to ordinary usage; and, moreover, on the same page, under section 7, sub-sections 1 and 2, they have, in like manner, used the word "person" where, according to their usage elsewhere, "postulant" is as appropriate as anywhere else. They have used, therefore, the terms I propose, "applicant" and "person." Also, on the 12th page they have again used the words, in section 1, sub-sections 1 and 2, "persons" and "person" for the same purpose, and spoken, in the very last line, of the Bishop "to whom his notice of intention has been given."

I therefore, propose the amendments, which I will hand up to the Secretary to read, or I am ready to propose, if that is thought to suit better, what I stated as a general proposition, to substitute in general "applicant" for "postulant" throughout, with such modifications as I have gone through with in detail simply to show that it can be done. I am willing to leave it so, though I have not written it in that form.

Mr. SHEFFEY, of Virginia. Move to strike out in the first section.

The Rev. Dr. GOODWIN, of Pennsylvania. Let the question, then, be taken up on the first section in order that I may move that amendment.

MESSAGES FROM THE HOUSE OF BISHOPS.

A message (No. 24) was received from the House of Bishops, announcing that that House had appointed as members on its part of the Joint Committee on a Spanish Version of the Book of Common Prayer, the Bishop of New York, the Bishop of California, and the Bishop of Minnesota.

A message (No. 25) was received from the House of Bishops, announcing that that House had concurred in the resolutions communicated to the House of Bishops in message No. 14 of the House of Clerical and Lay Deputies, relating to an ad-

dress to the Bishop of Lichfield, and had appointed as members on its part of the Joint Committee, the Bishop of Michigan, the Bishop of North Carolina, and the Bishop of Long Island.

CANONS AS TO ORDINATION.

Mr. MASSIE, of Virginia. I move now that we take up the Canons reported, section by section, commencing with the first section.

The motion was agreed to.

The first section of the proposed Canon 2 of Title I., "Of the admission of persons as candidates for Holy Orders," was read as follows:

§ I. All persons seeking admission to the ministry of this Church are to be regarded either as Candidates for Holy Orders, or as Postulants for admission to Candidateship.

The Rev. Dr. GOODWIN, of Pennsylvania. I move to substitute for the word "postulants," in that first section, the word "applicants."

The Rev. Dr. SHAND, of South Carolina. I beg to make a suggestion which may have the effect of enabling us to get through this matter more expeditiously. It is, that instead of taking the vote by yeas and nays, at the end of each section, if no objection is made, the President shall proceed to go on to the next section.

Mr. SHEFFEY, of Virginia. I may perhaps relieve the member. When a Canon is under consideration, the Chair, without any call from the House, directs the Clerk to read the first section, and he does not put the question upon the first section, but he says, "The first section is now open for amendment." If no amendment be proposed to it, the Clerk is then directed to go to the next section, and after that step is taken, you cannot recur to the first section except by vote of the House. The Chair has the business in his own hand. Then, when you get through the entire number of sections, the question is, "Will the House agree to the Canon as amended?" not to vote on each separate section. The Chair directs the Secretary to read the first section and says, "The first section is now open for amendment." The gentleman from Pennsylvania moves to strike out "postulants" and insert "applicants." If no other amendment be proposed or acted upon, we go to the second section. It is read. If no amendment be proposed to that, we go to the third, and so on; and then it will require a vote of the House to go back.

The PRESIDENT. So the Chair understood.

The Rev. Dr. VINTON, of Massachusetts. But an amendment is proposed by the gentleman from Pennsylvania; must we not have a vote on that?

Mr. SHEFFEY, of Virginia. Certainly.

The Rev. Dr. HARE, of Pennsylvania. I was not instructed by the committee to be tenacious about their words. The committee will readily yield any matter which is merely verbal. They will have to yield in every particular, but they will very readily and willingly yield in this. But will the House be kind enough to remember that many of the difficult passages in our present Canons have become difficult from the fact that the different parts were concocted by different minds. If you say in the first section "applicants" instead of

"postulants" you at once have some difficulty with the second section, for the second section touches the point whether the man shall be by his pastor advised to become an applicant or not. With regard to this very point as to whether he is to become an applicant, he is to consult his pastor.

With regard to the novelty of the English word "postulant," and the possible difficulty of aspirants to the ministry understanding it, I ask is it not true that if any aspirant to the ministry knows so little of Latin as not to recognize the origin and so the etymological meaning of the word "postulant," he is by that fact rendered somewhat doubtful in regard to his suitableness for the ministry? To this I will only add—if I am wrong those who are able will set me right—that the word "postulo" as used in Latin means not merely one who demands, "I demand," but "I seek," and even sometimes "I desire."

The PRESIDENT. The question is on the amendment of the reverend deputy from Pennsylvania [Dr. Goodwin] to strike out from the first section of Canon 2 the word "postulants" and insert the word "applicants."

The amendment was rejected.

The Rev. Mr. PLATT, of Kentucky. I move to amend the first section so as to make it read: "All persons seeking admission to the ministry of this Church shall be called postulants before, and candidates after admission."

This is a better arrangement of the phrase as it occurs to me. It is putting the ante-climax where it ought to be.

The Rev. Dr. CADY, of New York. I submit that the question is not what they shall be called, but what they shall be regarded.

Mr. DEROSSET, of North Carolina. That would make it necessary to call a person "a candidate" after his admission to the ministry. "All persons seeking admission to the ministry of this Church shall be postulants before and candidates after admission," is the language.

The Rev. Mr. PLATT, of Kentucky. The words "to candidateship" should be retained, so as to read:

"All persons seeking admission to the ministry of this Church shall be called postulants before, and candidates after admission to candidateship."

The Rev. Dr. PADDOCK, of Long Island. Will the gentleman be so kind as to state, and I ask that in all such cases gentlemen who propose amendments will be so kind as to state what principle lies in this proposed change of names. A change of names as the Rev. Chairman of this Committee has shown, made inadvertently, may run entirely through and through the whole structure of this report, and may make "confusion worse confounded." It is a very easy thing to change a name as a mere matter of taste, because a gentleman likes one name before, and another name after a certain date, but what is the principle which requires us to break in upon the harmony of this report by a mere change of name? I think the gentleman has not stated the principle on which this amendment is offered.

The PRESIDENT. The question is on the amendment of the Rev. deputy from Kentucky.

The amendment was rejected.

The PRESIDENT. If there be no other amendment proposed to the first section, the second section will be read by clauses.

The SECRETARY read the first clause of the second section, as follows:

§ II. [1.] Every person desiring to be admitted Candidate for Holy Orders is, in the first instance, to consult his immediate Spiritual Pastor or Rector, setting before him, freely and fully, the grounds for his desire for admission to the Ministry, together with such circumstances in his personal constitution, relations, and positions, as may bear out his qualifications, or tend to affect his course of preparation.

The Rev. Dr. ADAMS, of Wisconsin. I propose to insert after "rector" the words "or Bishop." I have known myself cases in which men of considerable piety and talents and ability, if they had been brought under this provision would have been repelled from the ministry by their spiritual pastor. That is to say, the rector or pastor advised them not to enter the ministry. I suppose this Convention will have no objection that in such cases,—I believe they occur very seldom,—the postulant, or the person coming forward, should have the chance and opportunity of correcting the perhaps evil temper of his rector, by referring the case to the Bishop and consulting him. I only introduce this because I have known such cases myself.

The PRESIDENT. The question is on the amendment of the deputy from Wisconsin.

The Rev. Dr. GOODWIN, of Pennsylvania. It seems to me that that would be quite inconsistent with what is to follow, as an application is thereupon to be made to the Bishop of the diocese, and the whole idea of this is a preliminary proceeding on the part of the postulant before he proceeds to his application to the Bishop of the diocese. It would be entirely out of harmony with the whole proceeding proposed here; and for information I will now state what I suppose would amend the whole difficulty to the satisfaction of those parties who have felt this difficulty and what I shall propose as an amendment in the next sub-section.—It is that instead of the first two lines and a half or so, we should make that sub-section read, "after having sought such counsel, if disposed to persevere in his intention, such person shall then, with a letter of approval and introduction, either from his pastor or rector, or from two presbyters, personally, if possible," etc. To confine this application to the case of a man who can have a letter of approval and recommendation from his pastor or rector does seem to me to be rather too strict; and after all that has been said by the chairman on the part of this House of the committee it will be perceived that in that 2d sub-section stand the words, "with letter of approval and introduction from the pastor or rector," and if he has not that letter he cannot make his application. Therefore, I say it seems to me that instead of putting "Bishop" into this 1st sub-section, which will throw it out of all harmony with the rest, it would be better to amend the next sub-section as I have suggested.

The Rev. Dr. ADAMS, of Wisconsin. I will say, in reference to this proposed amendment of mine, adding "or Bishop" after "rector," that it is the theory of this Church that the Bishop is the pastor in supreme degree, and, therefore, I think that inserting these words "or Bishop," will serve to protect men occasionally—I admit it occurs very seldom, but I have known cases in which it did occur, through a determination to shut men out from the ministry, if the power was given. Suppose there is a young man going to consult his pastor or rector. That pastor or rector may conclude that it is not suitable in reference to his own party that this young gentleman should go into the ministry, and no matter of what party he may be, party men will operate under the Canons where they have the power to do so. Unquestionably you allow parties to take advantage of this canonical provision; and it has been my experience that where canonical action can be taken advantage of for such purpose, it will be. But by inserting the word "Bishop" the man has an ultimate recourse, and I think the mere insertion of the word would prevent such an operation. Therefore, I believe it will be very desirable to insert the word "Bishop" in reference to religious freedom, and in reference to keeping us out of the mere tyranny of party.

The Rev. Mr. ROGERS, of Texas. I hope, Mr. President, that the amendment offered by the gentleman from Wisconsin will be carried for another reason than that which he has given. There are many portions of the country where the Bishop is the only man who finds the material for the ministry. For instance, there may be fifty missionary stations in a diocese, and not more than twenty churches, and in such a diocese there are but few pastors and rectors, and yet, through the broad expanse where there are these missionary stations, there may be many men who, if it was properly suggested to them, would find themselves moved to the ministry. The Bishop is the only man who comes in contact with them. It is a fact, that some of our Bishops have brought before the public and the Church more material for the ministry than all other clergy combined. Now, if, as the Bishop is making his round through a diocese where there are few clergymen, these men can talk with him, they will find exactly the true and proper person for counsellor. It is almost a necessity in a sparsely populated country and where there are few clergymen. It is effectually so through the West.

The Rev. Dr. WILLIAMS, of Georgia. I move to amend the amendment so as to make the clause read: "spiritual pastor, rector, or Bishop," for this reason. In some cases, and for many years in Georgia, the Bishop of the Diocese was the rector of the largest parish. He was, therefore, the spiritual pastor. In many cases in Georgia, as my brother from Texas has just said of his diocese, I know that many of those who applied lived in remote parts of the diocese, and the Bishop of the Diocese was the only person in the diocese who knew them. He was indeed their spiritual father.

The PRESIDENT. That is the amendment now pending.

The Rev. Mr. SHIPMAN, of Kentucky. It seems to be forgotten that where a member of the

Church has no presbyter for his pastor, the Bishop is necessarily his immediate pastor.

The Rev. Dr. SHAND, of South Carolina. Is the amendment that he may consult with his Bishop, without consulting with his spiritual pastor or rector?

The Rev. Dr. ADAMS, of Wisconsin. I conceive that when a man is a member of a parish his Bishop would be very far from giving him advice without consulting the rector; and I do not think that in any case whatsoever, except in those extreme cases that I spoke of, it would make any difference whatsoever with the person. A man being a member of a parish is under the jurisdiction of the rector? That rector has power of spiritual advice to him, and will exercise it in a multitude of cases, and in all cases whatsoever, and his Bishop will understand this; and it is only in extreme cases that I contemplate that the question can come up at all. The members of this Convention will please remember that it is not with reference to ordinary pastors that I speak, but with reference to those peculiar cases in which a man may be shut out by party spirit.

The Rev. Dr. SHAND, of South Carolina. I understand that perfectly, and I agree with the gentleman in the view he submitted; but, from the mode in which his amendment is expressed, one would be at liberty to take his choice to apply to the Bishop, and not to the pastor or rector, or to the rector and not to the Bishop. What I wish to understand is whether the amendment was intended to dispense with the necessity of applying to the pastor or rector.

The Rev. Dr. ADAMS, of Wisconsin. No, sir.

Mr. WITHERS, of Virginia. I think we have a right to assume that the committee have considered all these propositions. The provision which it is proposed to amend stands here, it seems to me, in as perfect a form as we are likely to get it. It makes the thing conditional, not obligatory; it is merely a prescriptive, a provisional step, a preliminary step. He is required merely to consult his pastor or rector. In the case alluded to by the gentleman from Texas, the Bishop is the spiritual pastor and consequently would be the person consulted. In other cases, where a man is under the charge of a rector, the adoption of the amendment would clearly leave it optional with the postulant to apply either to his rector or the Bishop. Such is not the purpose or desire as I understand. If he applies to his rector and is refused a recommendation, it will still lie within the province of the Bishop of the Diocese to give him authority to prosecute his studies if in his judgment such a step would be wise or judicious. Therefore I think we had just as well take the section in the form in it is reported from the committee, because I know that in the labors of committees on this and other subjects all these questions are generally taken up, discussed, and considered much more fairly, much more deliberately, than a body such as this can possibly devote to them when they come up here.

The Rev. Mr. GILLESPIE, of Michigan. There is a practical difficulty in my mind connected with

this matter. It may be difficult sometimes to decide who is the rector or spiritual pastor. Take an instance where a young man is attending college. Is his rector the rector of the parish where he resides, or is it the rector of the parish in which he is attending college? The rector of the parish where his family resides may be of one set of views, and the rector in the college town may be of another set of views, and he makes his selection as to which rector he will go to, as the result of the applications might be quite different. Again I submit that a clergyman might have very peculiar views of qualifications for the ministry. He might place the qualifications too high. It might possibly be that he might set up some very arbitrary standard. This case occurs to my mind: A clergyman might be in a morbid state of mind. I remember once to have heard of an applicant going to a clergyman and talking about entering the ministry; and he said to him, "The ministry! the ministry! why, sir, the ministry is below par!" It might possibly be that the aspirant would find his rector in some state of mind in which he would not give him the best advice, and it seems to me there should be some other person to whom he may apply, and that we should not confine him to a simple application to the rector of his parish.

The Rev. Dr. RICHEY, of Minnesota. I think that it will be seen that what the committee have in view in this is not practicable or capable of being carried out. It was said a moment ago that if the rector refused this application, still the person would be open to apply to the Bishop, and the Bishop would be able to admit him as a candidate to Orders. It will be seen, by looking at the next section, that this is not so, for it reads, "If counselled to persevere in his intention, such person shall then, with letter of approval and introduction from the pastor or rector, personally, if possible, or by letter, give notice of his intention to the Bishop of the Diocese, stating whether he has ever applied for admission as a candidate in any other diocese." The person, therefore, who applies or is in the position of a postulant, must secure this letter from the rector, and the letter must be submitted to the Bishop of the Diocese.

But, as has been suggested by the delegate from Michigan, it is not possible to bind up a postulant in the way proposed by this Canon. The object of the Canon is undoubtedly good—seeking to get a true certificate as to the person who desires to unite with the sacred ministry; but, as has been suggested, there may be prejudices by which, if you put a young man in the hands of the rector of a parish, he will refuse the letter, and it may be on party ground, or on some other ground, disqualifying the person for the time being. As things now stand, if a person wishes to evade this law, all that it is necessary for him to do is to pass over to an adjoining parish and put himself into the hands of an adjoining rector, and he will there get what he has been, it may be, prevented from getting from the person to whom he first applied.

I am sorry this question has been introduced this morning, because I believe it will be found that the changes now proposed are of a kind that require from this House more and greater consideration than can be given at present. I shall be glad, therefore, and I have proposed it to others, members of the House, that we should be permitted to take this report home to consider the changes that are proposed, to compare them with our previous Canons, and so to come intelligently in this House to the consideration of this most serious and great question. I can only say, as one engaged in the preparation of young men as candidates for the holy ministry, that it seems to me the object of the committee—and I say it with all respect—is to put a barrier in the way of young men seeking candidateship for Holy Orders. I beg this House to consider that it is the case in this country; the question is not to stop young men preparing for Holy Orders; the question is, where shall we get young men to present themselves for the sacred ministry. Other professions are drawing them away from the Church, and the great question that comes up continually is, how shall we get young men by any means that we can to seek this profession. God forbid that I should advocate that any young man should be admitted to the sacred ministry who has not the meet and proper qualifications to enter it; but I do say, as one who has some practical knowledge of this whole subject, that a great deal of the talk that is now made regarding literary qualifications and other qualifications for the sacred ministry is most unreal. What we want is to encourage young men, to stimulate young men, to put the ministry before young men, that we may get them to offer themselves for the sacred calling; and will any gentleman tell me on this floor that there is not time enough, that there is not opportunity enough, that there are not means enough? After a young man has entered upon his candidateship and goes under the care of any seminary where Christian men are the heads of that institution, or goes into a theological seminary where there are professors appointed over him, is it not the rule in every institution of learning in this country that offers itself for the reception of such young men that there is a time of probation that must be passed before the young men will be received into the institution as a person capable of prosecuting studies for Holy Orders?

I would desire, therefore, most sincerely, although I am afraid to make a motion to that effect but I should be glad if some other member of the body would propose, that the consideration of the whole question be put over for one or two days, at least, so that we may take this pamphlet home; and, after reading it carefully, and comparing it with the old Canons upon the subject (which I do believe will be found to be better, from my superficial examination of the question now), we shall be better prepared to act with judgment, discrimination, and intelligence.

Mr. WITHERS, of Virginia. One word of ex-

planation. I find that I have been misunderstood, no doubt from a want of perspicuity on my part in stating my proposition. What I wished to call the attention of this body to was the fact that this first sub-section of section 2, which you will remember is the only subject now under consideration before this body, contains no provision making the assent of the rector or spiritual pastor indispensable to the postulant. As to what the second sub-section contains, we can consider that when we come to it. But this sub-section provides only that the postulant shall consult his immediate spiritual pastor or rector. It is merely to consult; he can write to him consulting him and setting forth the various facts which are mentioned below; but there is not a word in this sub-section which makes the assent of the spiritual pastor or rector a necessary preliminary or pre-requisite to his going on with his studies. After he consults him, he will have complied with every provision of the first sub-section, and I ask you if it is desired that men shall go on when they do not consult their spiritual pastor or rector?

Mr. MASSIE, of Virginia. I rise to suggest a modification of the amendment to the learned gentleman from Wisconsin, which I think will cure one of the difficulties at least. It is that he add words to his amendment so as to read, "to his spiritual pastor, rector, or Bishop, first consulting his rector if there be one." That certainly avoids the difficulty of saying whether he shall first be rejected by his rector.

The Rev. Dr. ADAMS, of Wisconsin. I am satisfied with that.

Mr. MASSIE, of Virginia. Then if there be a rector he will confer with him. It does not say that he shall go to the Bishop.

Mr. SMITH, of South Carolina. There are some on this side of the House who think he should have a choice in the first instance.

Mr. MASSIE, of Virginia. I submit it to the gentleman who offered the amendment.

The Rev. Dr. ADAMS, of Wisconsin. I am willing so to modify it.

The Rev. Dr. FRANKLIN, of Indiana. I propose another amendment, to leave out the word "rector" altogether, and say "his immediate spiritual pastor or some other presbyter in good standing," and the principle is this: that in this early proceeding the person desiring to enter the ministry shall be entirely free, and that the Church can trust any presbyter in this preliminary step. It is necessary for his entire freedom that he should select his spiritual adviser in this primary step. I therefore propose to leave out the words "or rector," and to insert "or some other presbyter in good standing."

The Rev. Dr. LEEDS, of Maryland. We are in great danger, it seems to me, of never reaching the end of this report. I am very sorry to hear any suggestion on this floor which disturbs the beautiful relations of pastoral life. If there be anything sacred in the Church, it is the pastorate; and if our people are not taught by the Church to revere the pastor, looking up through him to the Chief Pastor in the fold, and always keeping in view, of course, the great Pastorate of our Blessed Lord, we shall be in a constant state of confusion and derangement.

I submit that the point which was made by the deputy from Indiana (the Rev. Dr. Franklin), is a good point, the distinction between a spiritual pastor and a rector. Are we not in danger of vindicating two distinct persons by this phraseology? Are we not somewhat in danger of giving license to a thought

which already begins to pervade the Church; that each member may select his pastor where he will, and go to him for advice and direction, independent of that spiritual provision under which the Great Head has placed him? I should be very sorry to see our people encouraged to seek a "spiritual director." I know that is not in the intent of this Canon, but I think the phraseology is open to it. If I am under the rector of this Church, and he does not exactly sympathize with my views, am I to go and select, I will say, the rector of St. Paul's, or of the Memorial, with whom I may be in full accord? I acknowledge formally by going to Holy Communion here, that here is my pastor; but to all the intents of my guidance and government, I look somewhere else for my spiritual pastor. I should be very sorry to have anything in a Canon which would give countenance to that notion, for although we are at liberty to seek counsel and guidance everywhere, yet there is one whom the Lord places over us in the Church to whom we should be loyal.

Now, are not generally our pastors, so far from obstructing the passage of persons into the ministry, facilitating it to such a degree, that we are in our Standing Committees constantly met with the applications of persons, who are not in the opinion of those committees, neither are they in the opinion of the Bishop, apt and meet to exercise the office of the ministry to the glory of God and the good of His Church. My experience now is, that the way is so easy to be followed, letters are obtained with so great facility, that the ministry might receive unto itself a large accession every single year, if the Standing Committees did not shut down the gate, or if here and there a very faithful rector conscientiously acting, did not say in the very incipient stages "no farther"; "thus far hast thou gone."

We must be very careful in regard to this matter; and I hope that the Canon will stand as it is, only striking out the word "rector," for to all intents and purposes, if my son is at college, and out of the reach of my own pastor, I place him under the rectorship of the chaplain of the college, or of the church at which its students attend. I do not expect him to be looking away to the rector in his native village, or native city, who is not watching his daily steps, who knows but little of the current of his thought and his life, to give him the best advice; but I put him under that man for the time, though, of course, it is his privilege always to look away from him to his other rector. I take it it is his privilege under this Canon, to go directly to his chief pastor in God. But let us, at the very outset, cultivate, insist upon so far as we can by Canon, an intimate, trustful, filial communion between the young Samuel, who is going to offer himself unto the Lord, and him whom the Lord has given to guide and direct him in his first steps. Let us have confidence in the pastors, otherwise we might as well say, there is no pastorate over the Church.

The Rev. Dr. PADDOCK, of Long Island. It seems to me, that we can arrive at a decision in regard to the parts of the Canon, now under consideration, if we remember the two or three things in which, I apprehend, we are all agreed, and I think our confusion has arisen very largely from the fact, that some of the members fasten their eye exclusively upon the first sub-section of the second section, and others fasten their eye almost as exclusively upon the sub-section that follows, and so neither part considered alone presents a full view. What we all want to get at, I

believe, is this: first, we want to respect that sacred tie, which binds pastor and people, and which, as has been intimated so beautifully by the clerical deputy from Maryland, is never more sacred and never more important than when it is exercised in that spiritual fatherhood, which proposes to counsel with one's son in the Lord, as to what he shall do with reference to the sacred ministry. Call the Bishop pastor of the whole Church, or call him what you will, there is not one Bishop in all this land who may be presumed to know so much of the spiritual life, the spiritual longings, and the spiritual fitness of a young man, as the pastor who is placed over that young man in the Lord; and, therefore, I hope that no words will be introduced into this first sub-section, which will even seem to give a young man the option as to whether he shall leave the man who is set over him in the Lord, because, forsooth, he may not like his counsel, and go away to his Bishop, one who does not know half so much about him, and one who is not placed, I make bold to say, in half so tender a relation toward him. We all agree then, that we want first to preserve this intimate relation between the young man looking for the ministry and the one who is his pastor.

But it is said that in some cases there is no spiritual pastor. Of course, if there be no spiritual pastor the young man is left to seek whom he pleases; I should suppose naturally to seek his Bishop in the first instance.

This principle being preserved as it is in this sub-section, and I may remark in passing that I like the suggestion of the deputy from Maryland that the word "rector" be stricken out and let it be the "spiritual pastor," whether he be the missionary of the parish, the chaplain of his college or whomsoever; let us send the young man to his spiritual pastor; then when we come to sending the candidate or postulant, or whatever you choose to call him, to the Bishop, as of course he must go sooner or later to the Bishop, he then as a matter of course goes directly to the Bishop. There the episcopal office and supervision is carefully protected. And now to guard against that very considerable peril which has been already pointed out, that owing to the idiosyncrasies of some pastors, owing to the morbid condition possibly of some pastors, owing to the acute prejudices of some pastors, there might be a barring of the gates against a young man's going further, namely, toward his Bishop by any process merely of arrest on the part of this misguided pastor, I would suggest that when we come to the second sub-section we then take action to protect ourselves against that danger, which fairly belongs to the second sub-section, either by an amendment like that which the reverend deputy from Pennsylvania suggested or by something like this, which I had drawn, and which I think will answer a still better purpose: I read it, not of course offering it now, but simply showing how in my judgment it is possible to protect ourselves against the danger of a misguided pastor deliberately stopping off a right minded young man, even from going to his Bishop. I shall propose that the second sub-section shall be amended to read:

"If counselled to persevere in his intention, such person shall be entitled to receive a letter of approval and introduction from his spiritual pastor, if he be within the cure of any such, and shall then, personally if possible, and with the aforesaid letter, if such have been granted, give notice of his intention to the Bishop," etc.

So that if a young man went to the Bishop, as he might do under that form of language without a letter, it would of course instantly inform the Bishop that, for reasons to be inquired into, the young man had either avoided consulting his own spiritual pastor, or else, consulting him, had yet failed to be recommended to go to the Bishop. I think, therefore, all the points can be gained, if we proceed to consider the first sub-section, understanding distinctly that there are those in this House who propose to guard the second sub-section against any possible tyrannical action toward a young man applying.

The Rev. Dr. FRANKLIN, of Indiana. It is very hard, sir, to reply to mere sentiment; and I am sure that in the case of the two gentlemen who have just spoken there never will be any such difficulty as that which I propose to guard against, for I am certain that any young man who may be under either of those gentlemen would cheerfully seek their advice and counsel in a matter so important as his entrance into the ministry of the Church. But, sir, we must not shut our eyes to things which exist. Whether we desire they should exist or not, is altogether another matter. It is certainly very desirable that there should be perfect unity of feeling and sentiment between young men of a parish and their rector; but if it exists, it will exist without Canonical enactment, and if it does not exist no Canons will create it. Therefore, if such a case arises, and it is very likely to arise, where the ordinary spiritual pastor is not in perfect sympathy with the person who desires to approach the ministry of the Church, I think that it is part of the "liberty wherewith Christ hath made us free" in this one body of the Church, to allow every person to seek his spiritual adviser in the incipency of so important a proceeding as this. Therefore I do not wish to be understood as advocating any Canonical enactment or any Canonical provision which will look in any way toward the weakening of the tie which ought to exist between true and earnest pastors and earnest young men under their care, but only to provide for a contingency that is very likely to arise. Therefore I press my amendment, to leave out the word "rector" and insert "some other presbyter in good standing."

The Rev. Dr. SPALDING, of Wisconsin. It seems to me, Mr. President, that to leave out the word "rector" would be to strike out one great difference between ourselves, and much that is the popular Christianity of the day, as that word "rector" means "ruler." We have an idea in our Church that the ministry are not only pastors or shepherds to lead the flock, but also that under certain conditions and limitations which are admirably and harmoniously arranged in our Church, they have some ruling and governing power. I would therefore deprecate very much the setting aside of this word at this time. I believe just as fully as any of the gentlemen who have been speaking can, in the "liberty wherewith Christ hath made us free;" but nevertheless our liberty is all under law; and the cases will be very rare, in which a young man coming to appeal to his clergyman would be dealt with unfairly by his pastor, and at the same time the pastor might have some power, as his governor, to advise him and direct him with respect to the propriety of his entering the ministry. I can see nothing that will be gained by setting aside the word, but I can see much harm that may grow out of it, as it would be a recognition on the part of this House that there were not ruling powers in the ministry. I

think the words "pastor" and "rector" may both properly be retained.

The Rev. Dr. LEEDS, of Maryland. I see no objection to saying "spiritual pastor and rector," but not "spiritual pastor or rector." That is the point I make.

The Rev. Dr. HARE, of Pennsylvania. If there were a word in this sub-section which made it impossible, or even difficult, for an aspirant to the ministry who had proposed to his rector, to go afterward, even if the act should be disapproved of by his rector, to his Bishop, I should be, for one, totally against this provision of the proposed law. All that is said is that the aspirant shall, in the first instance, go to his spiritual pastor or rector. In the course of the debate, it has been argued that if no more than this can be shown to be intended by the words of this sub-section, at least it is imported by the words of the following sub-section, that when the pastor disapproves the aspirant must go no further, but I submit whether the words of that sub-section might not consistently and logically run thus, "If counselled to persevere in his intention, such person shall then, with letter of approval and introduction from the pastor or rector, personally if possible, or by letter, give notice of his intention," etc.; "and if not counselled to persevere in his intention, by his rector, such person may then without letter of approval and introduction from his pastor or rector, personally if possible, or by letter, give notice of his intention." Had there been a single member of your committee who doubted this, I am sure that the second sub-section would never have been proposed. The only thing your committee intended was, that the rector should not get the go-by. It sometimes happens in our parishes that a person desiring the ministry is of a different faction or party from his rector, and yet of the same faction or party with his Bishop, and he likes very well to give a side-blow to his rector; but this canon comes in and says, "No, you shall not ignore your rector; as propriety requires that when you are invited to a parish in another diocese, you should at least visit the Bishop of the diocese, and ask his approval, without requiring that you shall refuse the rectorship, unless you get the approbation of the Bishop, so what is here said simply amounts to this, "you must show your pastor the courtesy of making known to him your wish, and obtaining his advice. This does not preclude your going to your Bishop in the second instance, whatever may be the advice of the rector."

The Rev. Dr. MEAD, of Connecticut. Mr. President, this is new matter entirely, introduced into our Canons for the admission of candidates for Orders; and, on reflecting upon it, I must confess that I cannot vote for it. It has been here admitted clearly, and used somewhat as an objection, that a pastor or rector may not be in sympathy with the opinions of the young man, and, therefore, that he has the opportunity of stopping him. Now, are we prepared at the very first step a young man takes, to make him, in any shape or manner, or under any name whatever, commence a party act? He says, "My rector and I do not agree on certain points. I have been educated by a previous rector thus and so"—mere matters of opinion, mind you. The new rector teaches differently. He knows my opinions, and if I go to him under this standard; if I am honest and let him know my sentiments and opinions, I have no right to expect that he will give me a letter of commendation to the Bishop." Therefore, you see at once that this very

feature of this Canon is calculated to introduce party feeling *ab initio* with those who aspire to become candidates for Orders. Why let me just simply state a fact which has recently come to my knowledge. A young man, a graduate of one of the most respectable colleges in the United States, about going to the General Theological Seminary in New York, says, "I expect the first battle I shall have will be with the dean." Why? Because of the ritualistic propensities of the young man, and his knowledge that the dean was determined to put down such things in the Seminary, if he could. This young man never should have been instructed before he went to that Seminary to which he has gone now, I suppose, that there was or would be any difference between him and any member of the Faculty, but he was so instructed, and the consequence was, under his instruction, the remark, "The first battle I shall have to fight will be with the dean."

Thus with your candidate for Orders or aspirant to become a candidate for Orders, if there be the least shade of difference of opinion between him and the new rector, the first battle he has to fight will be with his rector. Now, sir, we have gone along many years without any such provision and I am sure, from my long knowledge and experience in Standing Committees, that this provision is entirely unnecessary.

I will ask you another question in relation to it, however. Suppose a young man has no rector and the parish is vacant, here is a complete estoppel upon him; he has no one to consult. My brother from Indiana very properly proposes that it should be "some respectable presbyter" or "other presbyter." I am opposed to anything more than that he should apply to his great rector and spiritual pastor, the Bishop, and, if he is a prudent and a wise man, he will not encourage that young man until he has conversed with him, drawn him out, and ascertained concerning him everything that is necessary. Why multiply these barriers under these circumstances?

I say in conclusion that this Church has lived without such a provision, and I think you will find very few Churches that have a more respectable body of presbyters than we have in this Church. Take them at large. I know not any body who can show anything better, and I do not believe half so good. [Laughter.] If under the present regulation we have succeeded so well, let well enough alone.

I move that all of sub-section 1, from the words "in the first instance," down to the words "give notice of his intention to the Bishop of the Diocese" in sub-section 3, line 3, be stricken out.

The PRESIDENT. There are several amendments now pending, one moved by the gentleman from Wisconsin (the Rev. Dr. Adams), another by the gentleman from Virginia (Mr. Massie), and another by the gentleman from Indiana (the Rev. Dr. Franklin).

Mr. MASSIE, of Virginia. Dr. Adams accepted mine, which was an amendment to his amendment.

The Rev. Dr. FRANKLIN, of Indiana; I ask the liberty of modifying mine, as it was written and presented to the Secretary's desk so as to meet the objections of the gentleman from Wisconsin. My amendment now is, for "or" between "pastor" and "rector," to insert "and," and insert after "rector" the words, "or some other presbyter in good standing."

The Rev. Dr. GOODWIN, of Pennsylvania. Allow me, not to make a speech, not to make a motion, but to give a notice. I possessed myself of this report yesterday, examined it carefully yesterday and last evening, and, for one, I am satisfied with it and have nothing to say against any part of it, except just what has come before this House.

I thought it might not do any harm to say this, because I was afraid some might think from my meddling so much here, that we should have an immense amount of meddling hereafter. I now give notice that I have nothing more to object to after we have passed upon the sections that have been brought to our notice, and I have examined the whole document.

Mr. SHEFFEY, of Virginia. I think it very proper that the laymen of this House should leave this matter to be disposed of by the clergy; but with the multitude of forms of amendments suggested, I beg leave to say that, in my opinion, if the radical objection of the gentleman from Connecticut be not entertained by any member, if there be any favor at all in the minds of the House toward the principles set forth in the first and second sub-sections, the whole difficulty could be obviated by letting those sub-sections stand as they are, with a view, when we get to the second sub-section (and I refer to it now only by way of argument, and to induce the House to vote down all these amendments), of adding these words:

Provided, however, that nothing herein contained shall prevent the Bishop, for reasons satisfactory to himself, from receiving such application and notice without such letter of approval and introduction, if the same, when applied for, be not given by such rector or pastor.

That will cover the whole ground, it seems to me.

The Rev. Dr. ADAMS, of Wisconsin. I should like to say a few words on a matter that has not been started here yet, but the speech of the gentleman from Maryland (the Rev. Dr. Leeds), suggests it to me. Everybody knows that our venerable mother Church of England in certain cases permits the practice of confession; that is to say, permits a layman whose conscience is burdened to go forward to his rector and open his conscience to him, and, if necessary, to receive the benefit of absolution. That is a known fact. I will also state that Dr. Pusey, a distinguished scholar, has come forward and brought up in his letter to Mr. Richards another doctrine upon this point, and that is, the doctrine that any layman in the Church of England may go and make his confessor of any clergyman that he chooses. The doctrine is set forth in the letter to Mr. Richards that the Church of England leaves her children free to whom to open their griefs. The doctrine, as I hold, is against the law of the Church of England, the law of the Western Church of Europe, and the law of the Eastern Church of Europe; but in consequence of the wretched state in which the Church of England is placed, this question has not been brought to the test of the law, and the result is that Dr. Pusey and divers and sundry other men are travelling around the English Church making

themselves confessors to all who choose to accept them. Now, sir, I believe that these matters—

The Rev. Dr. NELSON, of Maryland. I am sorry to interrupt the gentleman, but I rise to a point of order growing out of the ninth rule which says: "No member shall speak more than twice in the same debate without the leave of the House." This is the third time the gentleman has spoken on this same sub-section.

The Rev. Dr. ADAMS, of Wisconsin. Dr. Mead has brought forward a resolution of amendment, and I am speaking to that.

The PRESIDENT. No, sir, that amendment is not before the House.

Rev. Dr. ADAMS, of Wisconsin. Then I move that the words "immediate spiritual pastor" be stricken out.

The PRESIDENT. That amendment is not now in order, as there is an amendment to an amendment pending. It is not in order for the gentleman from Wisconsin to speak on this sub-section again.

The Rev. Mr. ROGERS, of Texas. It seems to me that the gentleman from Virginia (Mr. Sheffey), has brought forward exactly the proposition to aid us out of our trouble, and I hope these two sub-sections will be passed as we come to them and that then the gentleman will offer his proviso.

The PRESIDENT. The question is on the amendment of the gentleman from Indiana (Rev. Dr. Franklin), to strike out the word "and" and insert "or" between the words "pastor" and "rector;" and also to insert after the word "rector" the words "or some other presbyter in good standing."

The amendment was rejected.

The PRESIDENT. The question now recurs on the amendment proposed by the deputy from Wisconsin (the Rev. Mr. Adams), inserting the words "or Bishop" in the 3d line of the 1st sub-section of the 2d section.

The amendment was rejected.

The Rev. Dr. ADAMS, of Wisconsin. I believe it is now in order for me to introduce an amendment.

The PRESIDENT. It is.

The Rev. Mr. ADAMS, of Wisconsin. Then I move to strike out the words "immediate spiritual pastor," and now, sir, I want to conclude my remarks.

Dr. Pusey has gone through England teaching, without any impediment, that it is perfectly lawful for any man, woman or child, who is under the rectorship of any rector of the Church of England, to choose out for himself or herself a spiritual guide who shall be his or her immediate spiritual pastor or director. Thereby it has happened, owing to the negligence of the Church of England in deciding upon the matter, that any person whatever may actually set himself free from the spiritual authority of his rector by placing himself under the power of a spiritual director, according to his own choice.

Now, sir, the reason why I propose to omit this phrase is because I know very distinctly that the followers of Dr. Pusey are doing this same thing in this Church. I know from a gentleman who is in this Convention at this present day, an instance of

a neighboring rector trying to establish himself as confessor and spiritual director to young men who were under the pastoral care of another.

The difficulty about new legislation is, that occasionally we fall into traps without knowing why and wherefore we fall into them. I wish to omit these words, "immediate spiritual pastor," for the purpose of preventing any such idea coming in and interfering with the privileges of spiritual jurisdiction that rectors have over the young men under their care.

I will state, also, that if the Convention will look at this Canon they will see that there is a possibility of some such ambiguity being left there, because the words are "immediate spiritual pastor or rector." Those words may be taken in two senses. In the one case they signify that the immediate spiritual pastor is the rector, in which case "spiritual pastor" is explanatory of "rector." In the second case, and I submit it is perfectly possible to take it so, it may be supposed that the spiritual pastor and rector are two persons, in which case the young man would have the liberty to go to one of the two; he may either go to his rector, if he likes him, or if he believes in the doctrines of Dr. Pusey, and the Ritualists generally, he may go to him, who is his spiritual director and immediate spiritual pastor.

I submit that this Convention should not fall into this trap, and I submit that I have done no very great harm in bringing forward before this Convention the possibility of such a thing; and, therefore, I propose, in order to avoid this difficulty, to omit the words "immediate spiritual pastor or." If we do that, the power of bringing in the confessional and the influence of confessors in choosing candidates for this Church and blocking the wish of the rectors will, I think, be put to one side.

Now I want to say another thing. I have been teaching and reading theology for some years, and I believe the doctrine of the Roman Church, which I suppose I shall not be accused of being very fond of, is, not that the rector is the spiritual pastor, but that the director is. Open any book of Roman Catholic theology, and you will find that that man who confesses habitually any person, who receives him constantly, under the law of the Church, to confession, is the man who is his immediate spiritual pastor.

I think I have said enough, under the circumstances of the Church of England and our Church at the present time, to induce the gentlemen of this Convention who have listened to me, both clergy and laity, to omit the words which open the possibility of such trouble in the Church.

The Rev. Dr. McNAMARA, of Nebraska. Mr. President, I have the privilege and the onerous duty also of being at the head of an institution of learning west of the Missouri river. I will simply state in this connection, to show the importance of this very measure, that a young gentleman who had been in a school in the East applied to come to that institution, within the last week or two, to study for the ministry. He left the school in the East on account of tantalizing persecution for bowing at the name of our Lord and at the *Gloria in excelsis*. Could that young man, who left such an institution as that, get a testimonial of appro-

bation from his immediate spiritual pastor? I have no sympathy whatever with these things, as the reverend gentleman from Wisconsin well knows; but I make this point on the other side of the House, showing that this is a very serious matter. This young gentleman could not get testimonials from the school, where his immediate pastor was, to come to our institution, if he applied for them. I agree with everything that the reverend deputy from Wisconsin has said, though I make the point on the other side of the House.

The Rev. Mr. HAMMOND, of Florida. I beg to correct the deputy from Wisconsin in reference to the statement he has just made regarding what he was pleased to term the negligence of the Church of England, and the inaccurate teaching of one whom all the members of the Church of England love and revere,—Edward B. Pusey. The Deputy from Wisconsin stated that the Church of England did not under any circumstances allow members of her own communion to choose their spiritual director. He has forgotten those words in the concluding part of the Exhortation to Holy Communion: "If there be any of you who by this means cannot clear his conscience, but requireth further comfort or counsel, let him come to me, or to some other discreet and learned minister of God's Word, that he may receive the benefit of absolution, and such further comfort or council as may tend to the quieting of his conscience, and the avoiding of all scruples and doubtfulness." The deputy from Wisconsin has stated that this is the doctrine of the Ritualists at large. I think I have proved that it is the doctrine of the Church of England; and I thank him for the admission that the doctrine of the Church of England is in accordance with the doctrine of the Ritualists at large.

The Rev. Dr. ADAMS, of Wisconsin. One word of explanation. The gentleman is very well in the letter, but *qui haeret in litera, haeret in cortice*,—the man who sticks in the letter sticks in the book. The fact he has stated is true, but if he will look into Carter on Confession, he will find that the words "to me or some other discreet minister" mean a minister in the canonical sense, separated and set apart for that purpose by the Bishop of the diocese, and does not mean any good, nice, pleasing sort of man that would suit. I have investigated this whole subject and that is the doctrine. The fact of the matter is that in the middle-age Church of England the clergy were liable occasionally to get into tantrums and treat those under their jurisdiction harshly, and in such cases the Church in her wisdom provided that a man who was under the jurisdiction of such a pastor might go to a discreet clergyman set apart for that purpose canonically by the Bishop. Carter on Confession is a very authoritative book with all gentlemen who are Ritualists; and that point is laid down very distinctly and decidedly in that book. Furthermore, I will say it is the doctrine that is found in Gibson's Codex, and it is the doctrine to be found in Lindewood and to be found everywhere. The Church never permitted wandering confessors in any case. She always upheld the jurisdiction of the parish clergyman, the rector, except in cases

in which she provided for a discreet (in the canonical sense) confessor appointed by the Bishop.

The PRESIDENT. The question is on the amendment proposed by the deputy from Wisconsin, (Rev. Dr. Adams.)

The Rev. Dr. SPALDING, of Wisconsin. Before the question is taken on that, I suggest that the contingency is not provided for in case they have no rector. I therefore move to amend by inserting after "rector," in line 3, the words "or in case he have no rector, some presbyter of the Church in good standing."

The Rev. Mr. EGAR, of Pittsburgh. I suggest that that amendment is not necessary, if gentlemen will take into consideration one distinction which is on the face of the Canon. Every person desiring to be admitted as a candidate for Holy Orders is, in the first place, to consult his immediate spiritual pastor or rector. Now, I suppose we may consider that the Canon, being carefully prepared, uses no unnecessary words, and therefore it makes a distinction between a spiritual pastor and a rector. There are pastors who are not rectors. This is the distinction which the Canon makes upon its face. The man ought to have a pastor. If there is no rector in the place where he resides, if he has no rector, then he has a spiritual pastor somewhere, and that covers the case suggested by the clerical deputy from Wisconsin. "His immediate spiritual pastor" is used in contradistinction to "rector." He is to consult his rector, if he has one. Take the case of a young man whose spiritual pastor is the chaplain of a college. He is a postulant for admission to the sacred ministry. He is engaged in his studies in college. The chaplain of the college is his pastor, but the chaplain of the college is not his rector. Take the case where there is not a church in the town where he resides, then his spiritual pastor, who is not his rector in the technical sense, may be the rector of the church of the place from where he last came. It seems to me that the amendment is unnecessary, as the matter is provided for by simply remembering that there is a distinction between pastor and rector, because there are pastors who are not rectors, and pastors who are rectors.

The Rev. Dr. HUBBARD, of New Hampshire. We passed a Canon, the other day, providing that teachers in seminaries and colleges should be considered in effect as pastors.

Mr. FORSYTH, of Albany. I think, Mr. President, that the sense of the Convention is coming back to the draft of the report which the committee have brought in. After all this discussion, we have now got down to the sixth line of the first Canon, and nearly two hours, I think, have been expended in getting as far as that. But if we succeed in establishing any principle in our declaration on the question of the word "postulant," we shall have made progress.

Mr. President, in this remote diocese, I speak of the remote part of the House where I am located, we have no trouble with the meaning of the words "spiritual pastor." We take it to b

our Bishop, if there is not any nearer man. If our rector is near and handy to us, we are at liberty to employ him and ask for his commendation to the Bishop. If there is no spiritual pastor immediately in the vicinity of the postulant, he may go to his Bishop. We have no difficulty on this question at all. A spiritual pastor is our Bishop if there is nobody nearer to us to do this kind office of commendation. The language is, "the immediate spiritual pastor or rector." What is meant by "immediate"? It may be a man within one mile, or ten miles, or one hundred miles. I do not mean a man who has charge of a college, or chaplain of a university. I take the good sense of this instrument, and what the committee meant, that it should be the spiritual pastor of the man, if he has one; if he has not one to whom any immediate application can be made, let him take the next man, even if he has to go into an adjoining diocese.

But we are not to argue this question on all the extreme cases that can be stated. It is to be taken upon the good sense of the instrument. It is to be applied to ordinary circumstances, and that is the meaning of this Canon. It is to be addressed to this Church as it is, in dioceses, whether in the immediate, well-settled parts, or in the remote, extreme parts of the country.

I am not going to make an argument on the questions that have been raised here. We have gone off into the question of confessors, and who may be a confessor in the English Church. That is not pertinent, as it seems to me, to this question. But I do urge upon the House to rally to a settlement of this matter. We shall never get through unless we concentrate and bring business down to a point. If we can get these questions, which are preliminary, settled and brought to a conclusion, then the rest of the Canon as reported will go along easily. I submit that we have had time enough and discussion enough upon this subject—that the House is now ready to come to a decision upon this question and adopt the report of the committee.

Some gentlemen have started the question whether if one pastor should decline to advise a candidate to proceed in his candidateship for Orders, he might go to another; that there ought not to be an alternative in such a case. Sir, I seriously suggest whether the advice to discontinue the pursuit of candidateship for Orders might not well be made more often than it has been. If the advice had been given oftener than it has been, that a candidate should give up that pursuit and take to something else, I question very much whether it would not have been for the honor, and the dignity, and the advancement of this Church.

But, sir, I beg the House to come to a vote and decide this question, and let us have an end of this Canon.

The PRESIDENT. The question now is on the amendment proposed by the deputy from Wisconsin (the Rev Dr. Spalding) to insert after the word "rector" in line three the words "or in case he

have no rector, some presbyter of the Church in good standing."

The amendment was rejected.

The PRESIDENT. The question now is on the amendment of the deputy from Wisconsin (the Rev. Dr. Adams) to strike out the words "spiritual pastor or."

The amendment was rejected.

The PRESIDENT. If no further amendment be proposed to this sub-section, the order is to pass to the next.

The Rev. Mr. PINCKNEY, of South Carolina. I ask the chairman to explain the force of those words, "immediate pastor or rector." We should like to hear his views on the subject. We have had a variety of interpretations, but nothing authoritative.

The Rev. Dr. HARE, of Pennsylvania. The point was not raised in the Committee. I suppose, however, the design of the writer was to include the case of a person in charge of a parish who was not a rector; that the person desiring to be admitted as a candidate should consult his rector or the officiating minister of his parish.

The Rev. Dr. ADAMS, of Wisconsin. I ask whether something cannot be done to put this matter on that plain ground, to take away the ambiguity to which I expected.

The PRESIDENT. That matter has been passed upon by the House. We now pass to the next sub-section.

The Secretary read sub-section 2 of section 2, as follows:

[2.] If counselled to persevere in his intention, such person shall then, with letter of approval and introduction from the pastor or rector, personally, if possible, or by letter, give notice of his intention to the Bishop of the Diocese, stating (1) whether he has ever applied for admission as a candidate in any other diocese; (2) whether he is prepared at once to apply for recommendation to be admitted candidate; (3) or, if not so prepared, where he proposes to prosecute preparatory studies, and whether he expects or desires aid in such studies while a postulant; and (4) the time and place of his baptism, confirmation, and first Communion.

Mr. SHEFFEY, of Virginia. I move to add at the end of that sub-section the following proviso:

Provided, however, That nothing herein contained shall prevent the Bishop, for reasons satisfactory to himself, from receiving such application and notice without such letter of approval and introduction, if the same, when applied for, be not given by such pastor or rector.

The Rev. Dr. HARE, of Pennsylvania. I second that amendment.

The amendment was agreed to.

The Rev. Dr. MITCHELL, of Georgia. I wish to offer an amendment, unless the chairman of the committee will say that it will embarrass the progress of these Canons through the House. It seems to me that this Canon, and many other of our Canons, could be simplified and sections of

Canons avoided, as not necessary, if we would make this amendment: That, whenever the words "ecclesiastical authority" would mean the Bishop, if there be a Bishop, or the Standing Committee, if there be no Bishop, said words "ecclesiastical authority" be used instead of the words "the Bishop."

We have two sections of Canons in this one Canon now proposed, which provide for this case, that where there is no Bishop the Standing Committee shall be regarded as the ecclesiastical authority, or shall do the acts prescribed to be done by the Bishop; and I think if the term "ecclesiastical authority" is used instead of the word "Bishop," there will be no necessity for those sections, and it will simplify the Canons very much. My motion then would be, unless the chairman of the committee thinks it will embarrass the proceeding, that in Section 2, Sub-section 2, line 4, the word "Bishop" be stricken out, and the words "ecclesiastical authority" be inserted.

The Rev. Dr. HARE, of Pennsylvania. I hardly feel at liberty to say that it would not embarrass the matter. When I first became acquainted with this draft it seemed to me that the matter which the gentleman mentions might have been left to the operations of the Canon on Standing Committees, which provides that where there is no Bishop, the Standing Committee shall be the ecclesiastical authority; but as that point was not raised in the Committee, and as I am not sure but that embarrassment might arise if the thing were now introduced, as I am not sure but that it would create confusion, I beg to be allowed, with great respect to my reverend brother, not to accept the proposition.

The Rev. Dr. HAIGHT, of New York. As one of the members of the Committee, I entirely concur with my colleague from Pennsylvania, (the Rev. Dr. Hare,) and I beg to add just one word. If the members of this House knew one tenth part of the time and labor given to this draft, they would give the Committee credit for a little common sense and a little knowledge of the Canons.

The PRESIDENT. If no further amendment be proposed to this sub-section, the House will pass on to the third sub-section.

The Secretary read sub-section 3 of Section 2, as follows:

[3.] Such notice must be given to the Bishop of the Diocese in which the person is actually resident, and can be received by none other.

No amendment being proposed to this sub-section, the next was read, as follows:

[4.] A Bishop may, at his discretion, permit the transfer of such application to the Bishop of another diocese, for reasons seeming to him to justify such transfer.

No amendment being proposed to this sub-section, the next was read, as follows:

[5.] A Bishop may not receive such application from a person who has been refused admission as a candidate in any other diocese, or who, having been admitted, has afterward ceased to be a candidate, until he shall have caused such person to produce a certificate from the Bishop in whose diocese he has been refused admission, or has been a candidate, declaring

the cause of refusal, or of cessation of candidateship; and such certificate shall be laid before the Standing Committee of the diocese in which such second application shall be made.

No amendment being proposed to this sub-section, the next was read, as follows:

[6.] A Standing Committee acting under canonical provision as the Ecclesiastical Authority of a diocese, in vacancy, or for other causes, shall be competent to receive and do all assigned to the Bishop in the foregoing clauses.

No amendment being proposed to this subsection, the 1st sub-section of Section 3 was read, as follows:

§ III. [1.] The postulant for admission to candidateship may at any time, after application to the Bishop, duly made, apply to the Standing Committee of the diocese for recommendation to the Bishop for admission as a candidate.

No amendment being proposed to this sub-section, the next was read, as follows:

[2.] In order thereto, he shall, with his application, lay before the committee *testimonials*, in the following words:

"We, whose names are hereunder written, testify, from our personal knowledge and belief, that A. B. is pious, sober, and honest; that he is attached to the doctrine, discipline, and worship of the Protestant Episcopal Church, and that he is a communicant of the said Church, in good standing; and do furthermore declare that, in our opinion, he possesses such qualifications as fit him for entrance on a course of preparation for the holy ministry, with prospect of advantage to himself and to the Church."

The Rev. Mr. BLISS, of Vermont. May I ask the chairman whether he intended to use the conjunctive "and" between the words "personal knowledge" and "belief." The testimonial, as given in Title I., Canon 5, required from the Standing Committee, is in these words:

"We, whose names are hereunder written, do testify from evidence satisfactory to us, that A. B. for the space of three years last past, hath lived piously, soberly, and honestly, and hath not, so far as we know or believe," etc.

The same form is used in the testimonial that is required from presbyters. May I ask if the chairman intended to part with that and use the disjunctive "or" in place of the conjunctive "and," or whether it is a mis-print.

The Rev. Dr. HARE, of Pennsylvania. The passage which the gentleman has quoted is the form to be given by the standing committee to a person already a candidate, who wishes ordination. This is the form of language to be used for a postulant who desires to be admitted as a candidate. The old Canon on this subject is the Canon to be found on page 16 of the Digest, Canon 2, section 4. I may add that it is only the different structure of the sentences which makes the word "or" pertinent in the one case and the word "and" pertinent in the other. To say that "we whose names are hereunder written, testify from our personal knowledge and belief" is pretty nearly equivalent to saying that we do not know or believe the contrary of the thing stated.

The Rev. Dr. VINTON, of Massachusetts. I rise to propose as an amendment the striking out of the words "to himself and" after the word "advantage." I was very much struck with the objections that were made to this when the general subject was before us. I should suppose the objections would strike every mind. We are dealing with spiritual things. We

are dealing with candidatureship for an office whose very conception involves the correlative idea of self-sacrifice. We have here presented to us in distinct language something in the shape of a motive to self-seeking. This certificate goes on to say we think that this man can serve the Church with advantage to himself. What does that mean? We can very well understand what it means when it says, "with advantage to the Church;" but if he can serve in the Gospel of Christ with advantage to the Church, he does serve with advantage to himself. What does "advantage" mean? Does it mean secular advantage? Does it mean that he is not competent, qualified, or capacitated to secure a good parish, a good living? Does it mean that he has not such talent as will reflect honor upon his name? Gentlemen will be ready to say no, perhaps. We are bound to say no if we take any just view of the ministry of Jesus Christ, for no man seeks for his own honor; no man seeks for his own wealth, in seeking that ministry. Therefore, those ideas are to be excluded from this conception of "advantage."

What other conception of "advantage," then, can enter into the question? I can see none, unless you suppose a spiritual advantage, and then you say, "I do not believe this man will get any spiritual advantage from serving Christ in the Church," which is an absurdity; a self-contradiction. Therefore, the words are of no meaning, or of a bad meaning; a meaning which I think ought not to enter into a testimonial put before a young man's eyes just at the moment he is called upon and enjoined by a subsequent part of this Canon to be full of the graces of the spirit; to be possessed of the spirit of God, the spirit of self-consecration. That is specifically enjoined on him; and yet, in the very testimonial he brings, it is said of him he can serve the Church "with advantage to himself."

Now, sir, as I said before, it is enough to say of any man seeking this sacred office, that he can serve the Church advantageously. If he can do that, he does serve himself, in soul, advantageously, in body sufficiently advantageously, if he serve in the ministry. I do not think that we ought to suggest such an idea as this right at the very threshold of that great office which we consider the most sacred in the Church. I move, therefore, that those words be stricken out.

The Rev. Dr. HARE, of Pennsylvania. I second the motion, not on the ground that I am convinced by the argument of my most distinguished brother, but that it seems to me to matter little or nothing, whether those words are kept in or omitted. To shorten debate, therefore, I second the motion.

Mr. DEROSSET, of North Carolina. I am very glad that the deputy from Massachusetts has made this motion, because it is precisely the objection that I stated to the Canon, when it was first read; but I suggest to him to move a further amendment, by striking out that entire clause, the words, "with prospect of advantage to himself and to the Church." When it is stated that "he possesses such qualifications, as fit him for entrance on a course of preparation for the holy ministry," that is sufficient, in my judgment. I hope the gentleman will extend his motion, so as to exclude the whole clause.

The Rev. Dr. HARE, of Pennsylvania. I second that also, for the purpose of getting on, because we have now been nearly three hours in getting through three or four paragraphs.

The PRESIDENT. The question is on the amendment of the gentleman from North Carolina, to strike out the words "with prospect of advantage to himself and to the Church".

The amendment was agreed to, there being on a division, ayes 80, noes 52.

The Rev. Dr. HAIGHT, of New York. I now move that the further consideration of this subject be postponed until Thursday next, at 12 o'clock, and made the order of the day for that time. The order of the day for to-morrow is the Canon on the Book of Common Prayer.

The motion was agreed to.

REPORT OF BOARD OF MISSIONS.

The SECRETARY presented the report of the Foreign and Domestic Missionary Departments of the Board of Missions, together with the report of Bishop Williams, of China; which were referred to the Foreign and Domestic Missionary Society.

On motion of the Rev. Mr. Farrington, of New Jersey, the House adjourned.

THIRTEENTH DAY.

WEDNESDAY, October 18, 1871.

Morning Prayer was said by the Rev. Montgomery Schuyler, D.D., a deputy from the Diocese of Missouri, assisted by the Rev. David B. Knickerbacker, a deputy from the Diocese of Minnesota; and the service was concluded by the Right Rev. Joseph C. Talbot, D.D., LL.D., Assistant Bishop of Indiana.

The journal of yesterday's proceedings was read and approved.

SUPPLEMENTARY DEPUTY—LEAVES OF ABSENCE.

The Rev. Mr. SHIPMAN, of Kentucky. The Committee on Elections respectfully report that the certificate of election of the Rev. William C. Lusk, Jr., a supplementary deputy from the Diocese of Michigan, having been placed in their hands, has been found in due form, and the name of Mr. Lusk has been placed on the roll of this House. He takes the place of the Rev. Dr. Pitkin, who declined the appointment as deputy.

The Committee further report that Mr. James Bridge, lay deputy from the Diocese of Maine; Mr. Isaac Atwater, a lay deputy from the Diocese of Minnesota; Mr. Richard D. Moore, a lay deputy from the Diocese of Georgia, and Mr. Thomas A. Johnson, a lay deputy from the Diocese of Western New York, ask leave of absence for the remainder of the session, and the Committee recommend that leave be granted.

Leave was granted.

THE HYMNAL.

A message (No. 26) from the House of Bishops announced that that House had adopted the following resolutions;

Resolved, That this House non-concurs in the proposed amendment of the House of Clerical and Lay Deputies to the second resolution of message No. 21, from the House of Bishops (relating to the matter of a royalty on the Hymnal), and that this House respectfully asks for a Committee of Conference on the subject.

And that this House appoints as the committee on its part of the Special Committee to whom was referred the general subject of *providing relief for disabled clergymen*,

The Bishop of Delaware,
The Bishop of New York,

The Bishop of Easton,

The Bishop of Maine, and

The Missionary Bishop of Montana.

Resolved, That this House concurs in the amendments communicated to it in message No. 27 of the House of Clerical and Lay Deputies, to the third and seventh resolutions of message No. 21 of the House of Bishops (relating respectively to the date when the Hymnal shall take effect, and to a provision for defraying the expenses of the edition of the Hymnal already printed).

The Rev. Dr. HAIGHT, of New York. The Committee on Canons have several reports to present.

Mr. HUNTINGTON, of Connecticut. Should we not dispose of the message from the House of Bishops first? I move that we concur in the appointment of a Committee of Conference on the question of a royalty on the Hymnal.

Mr. STEVENSON, of Kentucky. I move that this House adhere to its original resolution, and then the Committee of Conference will follow, if the House determines to adhere.

Mr. HUNTINGTON, of Connecticut. I withdraw my motion to give the gentleman from Kentucky an opportunity of presenting his motion, which would come before mine.

Mr. SHEFFEY, of Virginia. The message from the House of Bishops is that it has disagreed with us in our amendment. It is probable that the appointment of a Committee of Conference on the part of the House of Bishops was premature. They disagreed to our amendment. If the message had come in that way, then we should have adhered and asked for a Committee of Conference; but inasmuch as the House of Bishops has tendered a Committee of Conference in advance, all we would have to do would be to agree to the Committee of Conference on the disagreement now existing between the two Houses.

The PRESIDENT. That would be the simplest way.

Mr. STEVENSON, of Kentucky. I defer very much to my learned friend from Virginia; but my idea of the practice always has been that we could, if we pleased, now concur with the House of Bishops, that is, recede from our amendment. What prevents this House at this moment from receding from its original disagreement and concurring with the House of Bishops? I do not see why we could not do it. Therefore we ought to adhere, to keep the record straight, before we appoint a Committee of Conference.

Mr. LIVINGSTON, of New York. Otherwise, I suggest, the Committee would not know what the wish of this House was, if we did not express either our desire to adhere to or to recede from our former action.

Mr. McCRADY, of South Carolina. There is in all these forms that gentlemen speak about, something of substance, as is shown by the experience of all houses of legislation. The House of

Bishops sends to us a message. They do not ask us to discuss the question again. That is exactly what they ought to have asked of us. Instead of doing that, they take the question away from this House, and put it in the hands of a Committee of Conference. I do not think that that is exactly the right way, nor do I think we ought to follow their lead in that. They ought to have sent us simply a message that they did not concur in our amendment; then the question would come up again before this House, and the House would determine whether they would adhere to their former action or not: and that should be decided before the appointment of any committee. But the Bishops say they do not concur, and send the matter at once to a Committee of Conference. This House has no voice then to speak, except through this committee. I agree with the gentleman from Kentucky, that what we ought to do is to pass on this question by the House. Then, if we still adhere to our former action, it must go to a Committee of Conference; but until we take the sense of the House, whether it will adhere to or recede from its former action, I do not see how we can have a Committee of Conference.

Mr. JUDD, of Illinois. I think the gentleman is clearly wrong. This resolution was sent down to us in a message from the House of Bishops, with other resolutions. This House concurred in all those resolutions save this one. We sent back a message to the House of Bishops, that we did not concur in this resolution. The House of Bishops vote to adhere to their original proposition, and they, as the party adhering, ask for a Committee of Conference; and, unless the motion has already been made, I now move that the House agree to the Committee of Conference, the committee to be appointed by the Chair.

Mr. STEVENSON, of Kentucky. It is a matter of some moment to have our record right. The gentleman from Illinois is clearly wrong, as I think. Whose proposition is it that the House of Bishops disagrees to?

Mr. JUDD, of Illinois. The proposition came from the House of Bishops first.

Mr. STEVENSON, of Kentucky. But we did not concur.

Mr. JUDD, of Illinois. Then they adhered to their action and asked for a Committee of Conference.

Mr. STEVENSON, of Kentucky. We dissented and struck out that proposition of the royalty, believing it unjust to the Church that we should ask a royalty. The House of Bishops still insist upon their original proposition. Now the question (which is an open question for discussion) comes up, shall we adhere to what we deliberately resolved on the other day, or shall we recede and send back a message to the House of Bishops that we have receded? If we recede, we do not want the Committee of Conference which the learned deputy from Illinois proposes. It may be an open question for discussion whether this House should recede or not; and yet his proposition would cut off the consideration of the question whether this House will change its ground or not. Having heard from the House of Bishops that they think their original proposition for this royalty so far

right that they will not agree to our amendment, the question is whether the authority of the House of Bishops will constrain this House, whether they are prepared to vote on that question. If we do not concur, then we certainly ought to adhere to our action, and a Committee of Conference follows as a matter of course. As to all the other amendments, I understand the action of this House is concurred in.

The Rev. Dr. SCHENCK, of Long Island. The object of this Committee of Conference is, as I understand it, that the Committee on the part of the House of Bishops may explain the grounds of their action, and the reasons why they have confirmed it; and it does not follow, because we appoint a Committee of Conference, that we are going a step further in the direction of the action which has been taken by the House of Bishops, but that we are only giving the ordinary concession of courtesy where there is a difference of action upon the part of these two bodies, and where a compromise measure, as this is always supposed to be, is suggested for the sake of solving the difficulty. If it can be shown in this Conference, for instance, that this Hymnal is to cost the Church no more with the royalty than without it, if it can be shown in this Joint Committee of Conference that the Church is only keeping to itself that which belongs to it, instead of giving it to the different book-publishers, and if it can be shown that with this money which is thus received, the aged and infirm clergy of our Church, who are in so much need of assistance, could receive from this source a benefaction, I claim that that would be the presentation of a case that this House would accept almost without debate, or certainly almost unanimously after debate.

This asking for a Committee of Conference is a very usual way of proceeding, and, unless I am wrong in my observation of the records of this House, it is a thing that is always granted. The House is not concluding itself in any subsequent or final action by its vote appointing this Committee of Conference. Its final and decisive action will be when the Committee of Conference presents its report to this House.

I have only risen now because it seemed to be my misfortune, when this question came up the other day, to be almost in a minority of one, and I am very glad to have an opportunity to have this matter put in a right shape, as it doubtless will be by the Committee of Conference. As I understand, the House of Bishops, when this matter came before them (and I think I am revealing no secrets, as I have learned it from members of their own body), did not indulge in any of that feeling of sentiment on this subject, that we were degrading the Church, that we were making merchandise of the House of God, or anything of that kind, but considered that we had a piece of property that belonged to us, and should make the best possible use of it.

The Rev. Dr. LEWIN, of Maryland. I rise to a point of order. Is it in order to bring in here the debates of the House of Bishops?

The PRESIDENT. It is not; but the deputy from Long Island has taken his seat.

Mr. COMSTOCK, of Central New York. To make the matter short, I move that the House recede

from its proposition. I suppose that will be voted down; I shall vote against it myself; but it being voted down we can then agree at once to the Committee of Conference.

The PRESIDENT. The old proverb is, "When doctors disagree who shall decide." I am compelled to decide in this case, and I think we can get rid of this matter very soon. I think the most logical one is to put the question either in the form proposed by the Deputy of Central New York; or in the other form of insisting. The first question is on the motion of the gentleman from Central New York, to recede.

The motion to recede was not agreed to.

Mr. COMSTOCK, of Central New York. I now move that the House concur with the House of Bishops in the appointment of a Committee of Conference.

The motion was agreed to; and the Rev. Dr. Shand of South Carolina, the Rev. Mr. Seymour of Rhode Island, the Rev. Dr. Mitchell of Georgia, Mr. Livingston, of New York, and Mr. Warren of Albany, were appointed the Committee of Conference.

COURT OF APPEALS.

The Rev. Dr. HAIGHT, of New York. I have a report to make from the Committee on Canons, touching the question of the Appellate Court. I will read it:

The Committee on Canons, to whom was referred the question of reviving the report of the Special Committee on the Judicial System of the Church, made in the year 1856, and also the draft of a Canon providing for the organization of a Court of Appeals, respectfully report:

That they have considered the matter referred to them, and are of opinion that the proposed action would be in conflict with the provision of the Constitution as it now stands, "that in every diocese the mode of trying presbyters and deacons may be instituted by the Convention of the diocese," and that they are not prepared at this time to recommend any alteration in the Constitution to remove the difficulty; and they therefore ask to be discharged from the further consideration of the subject.

By order of the Committee,
WM. COOPER MEAD,
Chairman.

This is the report of the committee. There is a minority report in the hands of a member of the committee which, I suppose, it is in order now to receive in order that the whole matter may be brought before the House.

Mr. BURGWIN, of Pittsburgh. I ask leave to read the report of the minority of the Committee on Canons.

The PRESIDENT. The gentleman will be regarded as having that leave.

Mr. Burgwin, of Pittsburgh, read as follows:

The undersigned cannot agree with the majority of the Committee on Canons in the report upon the subject of an Appellate Court. We cannot bring ourselves to believe that the framers of our Constitution intended to place it out of the power of the General Convention to establish a Court of final Appeal, to review and correct the errors of a Diocesan Court upon questions involving the doctrine and ritual of the Church.

The Constitution provides (Article 6) that the Convention of each diocese may institute the mode of trying presbyters and deacons. Can these few and simple words contain a grant of authority so comprehensive

sive and exclusive, that no power is left in the Church at large to guard her faith and doctrine from the errors and contradictions of the different diocesan courts; We think not. Such a result could not have been intended.

It may well be that the trial of a clergyman, as regards the *facts* charged against him, should be made in his own Diocesan Court according to the mode which his diocese may have instituted for their investigation; but when these facts are there determined, the conclusions of law arising therefrom, when involving questions as to the faith, doctrine, or worship of the Church, concern not only the accused, but equally the Church and all her members. And if the Constitution authorizes the diocese to establish a court whose jurisdiction is, and must be, final and conclusive, such court, even in matters of faith and doctrine, when submitted to it, thereby becomes the voice of the Church; decides by her authority; utters her sentences. A construction leading to such results should not be placed upon the Constitution unless found inevitable. We may fairly avoid it by holding that the grant of authority to the dioceses was provisional, and intended to continue only until the National Church should see the necessity for its resumption, in whole or in part. Or, we may hold, that by "*the mode of trial*" which the dioceses were authorized to institute, was simply meant, the mode of arriving at the truth as matters of fact; reserving to the Church at large, the right, when it thought proper, to establish an Appellate Court, not to retry the facts of the case, but to supervise the regularity of the diocesan trial, and then decide whether the facts so found and determined, constituted the offence as charged. In a word, any reasonable construction should be given to the Constitution, rather than one which deprives a National Church of the right to determine judicially her own doctrines and the construction of her own laws. We are, therefore, of the opinion that the General Convention may establish an Appellate Court under the Constitution as it now stands. But in view of the fact that a majority of the committee are of a contrary opinion, and that no pressing necessity exists for the immediate establishment of such a court, we do not urge such action now but we recommend that such change in the Constitution be proposed as, if ratified by the next General Convention, will place *our right* to establish an Appellate Court beyond all question. The propriety of its establishment may be safely left to the wisdom and prudence of those who shall succeed us. We, therefore, recommend the adoption of the following:

Resolved, That the alteration of the Constitution, as in the following resolution, be proposed, and that the same be made known to the several Diocesan Conventions, in pursuance of Article 9 of the Constitution: viz.:

Resolved, That Article 6 of the Constitution be so amended as to read as follows, viz.: The mode of trying Bishops shall be provided by the General Convention. The court appointed for that purpose shall be composed of Bishops only. In every diocese the mode of trying presbyters and deacons, may be instituted by the Convention of the diocese. [*Provided*, That the General Convention may establish an Appellate Court for the review of all questions arising and determined in a diocesan court, which involve the doctrine or ritual of the Church, or the construction of the Constitution, or Canons of the General Convention.] None but a Bishop shall pronounce sen-

tence of admonition, suspension, or degradation from the ministry, on any Clergyman, Bishop, Presbyter or Deacon.

(Signed)

M. A. DEWOLFE HOWE,
ALFRED A. WATSON,
HILL BURGWIN.

The Rev. Dr. HAIGHT, of New York. I move that the report of the committee, together with the minority report, be laid on the table for future consideration.

Mr. BURGWIN, of Pittsburgh. If you will pardon me a moment, I would move as a substitute for that, that inasmuch as one of the deputies from Central New York, who has in charge the matter of the Federate Council, which has been laid before this House, under a report from the Committee on Canons, is anxious to be heard to-day, because he is about to leave the city; we can now hear him, and then postpone the matter, and I would move that it be made the order of the day for Friday next.

The Rev. Dr. HAIGHT, of New York. I withdraw my motion for the present then, and move that the House hear the deputy from Central New York, on this question. I am not willing to go into any debate to-day. It is only now about half an hour before the order of the day comes up, and we have some important reports, which ought to come in to-day to be heard. I move the suspension of the rules of order, to allow Judge Comstock to be heard on this question for the reasons given.

Mr. BURGWIN, of Pittsburgh. And as an addition to that, I move that it be made the order of the day for Friday, at twelve o'clock.

The Rev. Dr. HAIGHT, of New York. I have no objection to that, "and that the further consideration of the subject be made the order of the day for Friday."

The PRESIDENT. Will the House permit the gentleman from Central New York to address the House at present, and agree that the two reports be laid upon the table, and made the order of the day for Friday next, at twelve o'clock? That is the motion.

The motion was agreed to.

Mr. COMSTOCK, of Central New York. Mr President, I will claim the attention of the House but a little while, for I am not able to occupy my place in the Convention after to-day; and I regret very much that I have to disarrange the business of the House to-day, even for a short time.

In regard to the reports of the committee now made, I have but little to say. I learn from the report of the minority, rather than of the majority, that the conclusion of the committee, adverse to the general proposition, is placed first on the ground of the want of constitutional power. That is contrary to the impression which I have heretofore entertained. I entertain that impression, with less confidence, in opposition to the views of the committee, now made known to me. It had been my belief, that on the subject of a Court of Appeals or of Courts of Appeal, the Constitution was simply silent. The 6th Article of the Constitution does declare that each diocese may institute the mode of trying presbyters and deacons; and there is nothing within the four corners of that instrument in regard to any Court of Appeals. My own opinion had been, that that related to the trial in the first instance, and that it left the whole field for legislation, in regard to Courts of review or of appeal from the trial and sentence, open and unoccupied; so that this Convention at its pleasure, and by ordinary canonical

legislation, could occupy that field ; or so that, in the absence of legislation by the general Church, it could be occupied by the diocese itself. I had considered the subject as extra-constitutional ; that is, among the subjects not embraced within the purview of the article of the Constitution at all ; and as to such subjects, while I fully concede the plenary legislative powers of the General Convention, when it chooses to exercise those powers, I have no doubt that the diocese may legislate in the absence of general legislation. Each diocese presents in itself the idea of a complete Church, and it may exercise all the powers of Church legislation, where the Church in its general assembly has not occupied the ground.

I understand, also, that the Committee on Canons place their conclusion, in the next place, on the ground of expediency ; and I am much more inclined to concur with them on that ground, although I do not intend to discuss it. I do not think it is practicable to have one Court of Appeal for the whole Church in the United States to hear every cause which may originate and be tried in the dioceses. I do not think that a feasible or practical idea ; and, therefore, I am satisfied that the only courts of appeal which we shall ever have to review ordinary trials and judgments in the diocesan courts, will be an Appellate Court constituted by the diocese, or by the dioceses in voluntary union and confederation with one another, and that is the idea presented by the Federate Council of the State of New York, to which I now call the attention of the Convention. I beg leave to remind the House, in the first place, that we are acting under a Canon passed at the last General Convention, which declares that it shall be "lawful for the dioceses now existing, or hereafter to exist, within the limits of any State or Commonwealth, to establish for themselves a Federate Convention or Council representing such dioceses, which may deliberate and decide upon the common interests of the Church within the limits aforesaid ; but before any determinate action of such Convention shall be had, the powers proposed to be exercised thereby shall be submitted to the General Convention for its approval."

No one can fail to see on the reading of that Canon that the principle of federation is no longer open. It was established by the Canon of the last Convention ; its lawfulness was recognized by that Canon. I understand the spirit and intent of the Canon to be to declare it lawful, under the Constitution and pre-existing Canons of the Church, to meet in Federate Convention or Council for Church work and for all Church purposes within the dioceses which thus confederate. I beg to say, therefore, and I hope in the further consideration of this question the House will bear that in mind, that the principle of federation is conceded to us : it is established by the positive Canon of the last Convention, and the only question remaining is the sanction of this House in regard to the powers which that Federate Council proposes to exercise. It is too late for us to go back upon the question whether the dioceses in a State may confederate or may not confederate, for that was determined by the Convention which preceded this.

I presume that the true history and origin of that Canon which I have read is quite unknown to a large number of the members of this House, because there are many here who were not there then, and there are others here who were not there at the time that Canon was passed, in the closing days of that Convention. I wish to make it known, therefore, that it sprang from

a discussion of the system of provincial arrangement of the dioceses of this Church. A committee appointed by an earlier Convention which sat in 1865, reported to the last Convention at great length and with great learning and force, in favor of a general provincial system. That report was referred to a special committee of the last Convention, and that special committee made another very elaborate and able report in which they reject, for the present, the idea of a general provincial arrangement, but do adopt and put forth the idea of a synodical union or confederation among a plurality of dioceses existing within one State. So far, they say the Church is willing to go ; no farther ; and they proceed to call that confederation, when completely formed and established, the provincial council of that State. That was amended by the Convention itself on a Canon which came from the Committee on Canons, and which adopted simply the federative idea, the idea of federation within the State.

This principle, therefore, of confederation among these dioceses has received the most solemn sanction of the Church, and the remaining subject to which I wish to call the attention of the House, is in regard to its approval of the powers which that confederation proposes to exercise.

The Federate Council has been formed, but it was required by the Canon under which it was formed, before anything else should be done, to bring before this Convention, in a schedule, the powers which it proposed to exercise. It has done so. These powers are few and very simple, and as we shall all see, and all admit, I think, they are already within the pre-existing Constitutional power of the Dioceses in the State of New York, and in every other part of the country.

The objects of the powers are : first, "Such civil legislation as the common interests of the Church in the State of New York may require ;" second, "The promotion of the interests of Christian education and the furtherance of joint work for the extension and prosperity of the Church ;" and thirdly and lastly, "The establishment of an appellate court, to which, under the Canons of any particular diocese, appeal may be made from the decision of any diocesan court in said State."

The Committee on Canons give us their unqualified approval of the two first powers, although they are plainly within the pre-existing authority and jurisdiction of the dioceses in the State. That no one will question for a single moment. They go on to concede that even the third power, the power which relates to the appellate court, does belong to the dioceses in the State ; and they ought to concede that ; but the terms of the resolution which they have reported to us deny to us that power which we undoubtedly possess under the Constitution of the Church. And why do they deny their sanction to that power ? Because any one diocese may establish for itself, and within itself, an appellate court. That is true ; no one will question it ; and they go on to say that any other diocese within the State may, if it will, adopt that court. That is true ; but I submit to this House that that presents rather a grotesque idea of an appellate

tribunal for the five dioceses in the State of New York. The idea is just this, that Long Island, for example, may constitute for itself, and within itself, a local tribunal of appeal, the *personnel* or materiel of which may also be local; that the Diocese of Central New York may adopt that if it will; but will it ever adopt such tribunal as that? Every one knows that it will not. We shall never have an appellate tribunal constituted in that way. But this is a concession of the whole Constitutional question, because if Central New York can adopt a tribunal made by Long Island, then Long Island and Central New York together can adopt a tribunal made by them in common, the adoption being by each diocese in the exercise of its own sovereign jurisdiction. No one will question that conclusion.

Now, ought there not to be a court of appeal? —I am sure that that want is felt by the whole Church, for within the broad limits of this Church, which stretches from ocean—to ocean, in which the most sacred rights can be tried, there is not one appellate court, except, as I have understood, there has been one lately organized in the Diocese of Illinois. Rights which are the dearest and most sacred may be imperilled by these local jurisdictions, and there is but one appellate court in all this broad land. Now, I ask, what ought such an appellate court to be? Ought it to be, according to the idea of the Committee on Canons, a local court to hear appeals from all other courts which may choose to adopt it? No; that is not the way to give dignity, and respectability, and weight, to the decisions of an appellate court. Nor is it the way to secure fairness and impartiality in its adjudications.

The fear has been expressed on the floor of this House that such an appellate court as the Dioceses of New York ask for, may enunciate decisions which will command the respect of the whole Church. It may; but that is not a subject of fear, but is, on the contrary, a thing to be desired. Certainly those decisions will have no binding authority outside of the territory; but that they may be respected, and may have weight and influence in all branches of the Church, I do most fervently hope.

Why should not this appellate tribunal be organized in this way? What is the objection to it? Any other number of dioceses anywhere in the United States can do the same thing precisely if they will. That is conceded by the Committee on Canons. It is a subject within diocesan authority. Each diocese for itself can adopt just such an appellate tribunal as it chooses to adopt.

Now, Mr. President, I believe I have not much, if anything else, to say.

The PRESIDENT. The hour has arrived for the order of the day.

Mr. COMSTOCK, of Central New York. If the Convention will indulge me a moment, I have closed my speech, but I wish to offer an amendment, expressing the form in which I propose to place the approval of this House, and then I will sit down.

If the report of the Committee on Canons on the Federate Council may now be considered as up for consideration, I beg leave to withdraw the amendment which I read the other morning, and to put in its place the one which I will now read, which I do upon consideration and upon some consultation, because I think it more exactly expresses the approval which this House may be disposed to give, and more exactly harmonizes with the constitutional posture of the question:

Strike out all after the word "Resolved" in the report of the Committee on Canons, and insert:

"That this Convention, having examined the schedule of powers proposed to be exercised by the Federate Council of the Dioceses in the State of New York, and finding that the same powers can be lawfully exercised under the Constitution and existing Canons of this Church, does hereby approve the said powers, not intending by this approval to grant such powers, but to recognize them as already possessed by the dioceses composing the said Federate Council."

I beg leave to lay that on the table for the consideration of the House, and with that I will close my remarks.

The PRESIDENT. It will come up when the question of the Appellate Council comes up.

FORMATION OF NEW DIOCESES.

The Rev. Dr. HAIGHT, of New York. I move that we suspend the order of the day for one minute to allow the Committee on Canons to submit a report touching the alteration of the article of the Constitution in regard to the creation of new dioceses.

The motion was agreed to.

The report was received and read as follows:

The Committee on Canons, to whom was referred the subjoined resolution, respectfully report that they have considered the same and recommend its adoption:

Resolved (The House of Bishops concurring), That the proposed alteration of Article 5 of the Constitution proposed at the last General Convention and made known to the several diocesan Conventions, and printed on page 136 of the Journal of the last General Convention, be, and the same is hereby, finally agreed to and ratified as provided in Article 9 of the Constitution.

By order of the Committee,

WILLIAM COOPER MEAD,
Chairman.

The Rev. Dr. HAIGHT, of New York. I move that this be laid on the table and made the order of the day for Saturday at 12 o'clock.

The motion was agreed to.

ORDER OF BUSINESS.

The Rev. Mr. ROGERS, of Texas. I wish that the order of the day might be withheld for a single moment till I make an inquiry. The report of the Committee on Canons in regard to the memorials of Texas and California is yet without any

action. I wish to find when there will be a day for which there is no assignment, and I ask that that report be assigned for the first day that now is without assignment. I move that the report of the Committee on Canons on the memorial of the Dioceses of Texas and California be assigned for Monday at 12 o'clock, and every other day till disposed of.

The Rev. Dr. HAIGHT, of New York. I hope not, because it may take the whole week.

The Rev. Mr. ROGERS, of Texas. It is as important as anything we have to do, so far as I know.

The Rev. Dr. HAIGHT, of New York. It shuts off all other subjects to the end of the session.

The PRESIDENT. Why not let it be either Friday or Saturday, and take the chance of reaching it? It will be second on the calendar after the matters already assigned for those days.

The Rev. Mr. ROGERS, of Texas. Then may not Monday be placed for some other assignment and this have to go by?

The Rev. Dr. VINTON, of Massachusetts. Does such a motion as that shut us out from discussing the question beforehand? We may have a vacant hour before Monday, and it was my purpose as I introduced the subject, and was interrupted by the order of the day as soon as I announced it the other day, to move to take it up among the unfinished business, at the earliest day. Why postpone it so long even as Saturday? It may be that we shall have an hour to discuss it before that day comes.

The Rev. Mr. ROGERS, of Texas. But I beg gentleman to remember that it may be that we shall not, and then it will get the go-by.

The Rev. Dr. HANCKEL, of Virginia, and others. I call for the order of the day.

The PRESIDENT. The order of the day is called for.

The Rev. Mr. ROGERS, of Texas. May I ask for action of the Convention that this report may be assigned for Monday?

The PRESIDENT. The order of the day has been called for.

The Rev. Mr. ROGERS, of Texas. I move that the order of the day be suspended for the taking of this question.

The motion was agreed to, there being, on a division, ayes 117, noes 30.

The Rev. Mr. ROGERS, of Texas. Now I move that unless previously reached, this report be assigned for consideration at Monday next at 12 o'clock.

Mr. BURGWIN, of Pittsburgh. May I inquire whether it will not be in order for us to have a night session? If so, I move that the Convention meet to-morrow night at half past seven for the purpose of acting on all unfinished business.

The PRESIDENT. The business of the Board of Missions is just as important as ours; and until they are prepared to give up the night we had better get along as we can in the day time.

Mr. BURGWIN, of Pittsburgh. I think it is very evident that a great deal of important business will be neglected unless we have longer sessions for its discussion than we have now, or unless we curtail what is called the freedom of debate; and I think we must make some provision now, or else we shall be kept here not only this week, but next week, and possibly the week after, if we are to give the important matters which are yet to come before us their due consideration. I am not particular about to-morrow night; but it is a matter which we must come to. If we intend to transact the business which is before us we must have night sessions, and meet at half past seven, and stay until twelve or one or two o'clock, if necessary. If the Board of Missions is to hold a meeting to-morrow night, we can meet after they adjourn. They probably will not take over an hour or an hour and a half.

The Rev. Dr. HAIGHT, of New York. I beg pardon. To-morrow night the whole subject of Foreign Missions comes up, and the night after, Domestic Missions. They will stay here until 10 or 11 o'clock every night this week.

Mr. BURGWIN, of Pittsburgh. Cannot we have a joint meeting; let this body meet here and the Board of Missions meet somewhere else?

The PRESIDENT. Now that the committees have done most of their work, we can enlarge the day's session from 9 to 4 o'clock without any great inconvenience.

Mr. BURGWIN. I move now—

Mr. PRESIDENT. The motion is not in order. The question is on the motion of the deputy from Texas, that the report referred to shall, unless previously reached, be assigned for Monday next at 12 o'clock.

The motion was agreed to.

SPANISH PRAYER BOOK.

The PRESIDENT appointed as the Committee on the Spanish version of the Book of Common Prayer, the Rev. Dr. Wilson, of Central New York; the Rev. Dr. Nelson, of Maryland; the Rev. Mr. Stout, of Arkansas; and Mr. Stark, of Connecticut.

MESSAGE FROM HOUSE OF BISHOPS.

A message (No. 27) was received from the House of Bishops announcing the passage by that House of the following resolutions:

Resolved, That this House concurs in the resolution of the House of Clerical and Lay Deputies communicated in its message No. 26 relating to the Irish Church, and appoint as members of the Joint Committee on the part of this House the Committee previously appointed, to wit, the Bishop of Ohio, the Bishop of Louisiana, the Bishop of Western New York, and the Bishop of Long Island.

Resolved, That the draft of an address to the Archbishops, Bishops, Clergy, and Laity of the Church of Ireland, this day submitted to this House, be referred to said Committee.

A message (No. 28) was received from the House of Bishops announcing that that House had adopted the following resolution.

Resolved, That this House concurs in the election of the five laymen named in message No. 20 from the House of Clerical and Lay Deputies to constitute the Board of Trustees of the Missionary Bishops' Fund.

A message (No. 29) was received from the House of Bishops announcing that that House had adopted the following resolution:

Resolved, That this House concurs in message No. 21 of the House of Clerical and Lay Deputies, with this amendment, viz.: that the words following "Rev. Clinton Locke, D.D., rector of Grace Church, Chicago," be omitted and these words inserted, "and that the Bishop of Illinois and the other clergy of Chicago shall act as a Committee to distribute the same."

A message (No. 30) was received from the House of Bishops announcing that that House had passed the following resolution:

Resolved, That this House concurs in the amendments to its message No. 2, communicated to the House in message No. 22 from the House of Clerical and Lay Deputies, relating to the formation of a new diocese within the Diocese of Pennsylvania.

A message (No. 31) from the House of Bishops, announced that the House had passed the following resolution:

Resolved, That this House concurs in the resolution communicated to it in Message No. 25 from the House of Clerical and Lay Deputies relating to letters of greeting from the Dioceses of Lichfield and Chester, England, and has appointed as the Committee on the part of this House under the said resolution the Bishop of Connecticut, the Bishop of Rhode Island, and the Bishop of Central New York.

The Rev. Dr. HAIGHT, of New York. I move this House concur in the action of the House of Bishops touching the collections for Chicago, being its message No. 29.

The motion was agreed to.

BOOK OF COMMON PRAYER.

The PRESIDENT. The order of the day is the report of the Committee on Canons recommending the adoption of an amended Canon in lieu of Canon 20, of Title I, entitled, "Of the use of the Book of Common Prayer."

The House proceeded to consider the following resolution reported by the Committee on Canons:

Resolved (the House of Bishops concurring), That Canon 20 of Title I., entitled, "Of the use of the Book of Common Prayer," be amended to read as follows:

"CANON 20.

"Of the use of the Book of Common Prayer.

"Every minister shall on all occasions of public worship use the Book of Common Prayer, as the same is or may be established by the authority of

the General Convention of this Church; and this rule shall be understood to prohibit all additions to and omissions from the prescribed order of said Book, except in the cases prescribed by Section 14 of Canon 13, Title I.; *Provided*, That on other occasions than Sundays and the mornings of those week days for which a special service is ordered, and at all times in mission stations and other places than parish churches, where the prescribed order of Morning or Evening Prayer cannot be used to edification, other services may be used, compiled only from the Book of Common Prayer; but no such deviation shall be permissible, except on emergencies, without the approbation of the Ecclesiastical Authority of the diocese.

The Rev. Dr. GOODWIN, of Pennsylvania. The pending question, I believe, is on the amendment I offered to this proposed Canon. I desire to make a verbal alteration in it, which, I will say, seems to be needed only because, as has been suggested, there might be a perversion of the manifest meaning of the form. I propose that my amendment shall read thus:

Provided, also, that it shall be understood that this Canon does not apply to the case of congregations where the English language is not understood by the people.

I desire to make that correction, that the amendment may stand before the House in that form.

The PRESIDENT. I presume there can be no objection to that.

The Rev. Dr. WILSON, of Central New York. I should like to say a word on that amendment. It contemplates two things. The first is a present emergency. We have congregations all over our land desiring to worship in communion with our Church, for whom no Book of Common Prayer is yet provided in the language which they can understand. If, therefore, this amendment be not accepted, you will exclude all of that class of people, and all congregations of that kind, until a Prayer Book in their language can be provided, and shall have been set forth by the authority of the General Convention. Unless, therefore, this amendment be adopted, you stop all of that kind of work—a step which I am sure the Convention will not be disposed to take.

It provides for another class of cases, of which we have had several in our country, and one of which, of which I propose to say a word or two, came under my knowledge and observation. Not many years ago, there was a congregation of Germans in the city of Rochester, in the communion of the Lutheran Church, and ministered to by a man who had been educated and ordained in Germany as a Lutheran. He had learned our language. Very few of his people, however, could speak our language. He had investigated the matter, and was himself disposed to become a candidate for Orders and take Orders in our Church. But a most interesting fact in the case was, that that entire congregation were willing to come into the communion of our Church and place themselves under the jurisdiction of its Bishop and this Convention, provided only there could be some form of worship provided by our authority, and which they were permitted to use. There were

indeed one or two other difficulties in the way, which I will not speak of, but which might undoubtedly have been obviated if it had not been for this one. There was at that time no Prayer Book in the German language authorized by the authority of our Convention, and if there had been, there would have been a difficulty in the way. If Bishop Delancey, at that time Bishop of the Diocese, had felt himself authorized to allow the use of the Prayer Book which they had been accustomed to, with such modifications as might have been found necessary to secure doctrinal conformity with our Church, they would have accepted that; they would have used it until another could have been prepared, and that whole congregation, numbering, I think, some three or four hundred communicants, would have been brought at once into connection with our Church. That is one case, and I presume others similar to it have occurred, and may still occur.

Perhaps I may be permitted to say that in the discussions which we have had in committee on this matter of preparing a Prayer Book in the German language, letters have been read which have been received by one or another member of the Committee from persons of German origin, German descent, speaking the German language, who are not now in communion with our Church, and perhaps never expect to come into that communion, but still expressly and emphatically declaring that if we can take this course, we shall undoubtedly gather in a large share, perhaps all of the German-speaking population of our Continent. It seems to me that a measure which has so much in its favor, designed to meet such urgent wants, cannot fail to meet the approbation of this Convention.

The Rev. Dr. LEEDS, of Maryland. Mr. President, this is a matter of common sense and of common charity. We cannot force our Liturgy upon the use of the German or Swedish population, against any prejudices that they may entertain. The Convention will bear in mind that we are now about to set forth a new German Prayer Book, or to authorize a new version when it comes before the Convention in order to accommodate the Germans of our country. It is well known that we have two translations of the Book of Common Prayer for the use of the German people, neither of which they will use, because they are not comfortable to the idiom of their tongue, because they are not free and fluent in the expression of their devotion, because they do not supply the want of fitting utterance for prayer and praise.

You cannot legislate into use any formulary that does not commend itself to the heart and the conscience. Hence, when the subject of the Hymnal was up, it was quite sufficient, it seemed to me, to leave it to be used by the Church in the next three years when, if it proves itself an adequate organ for expressing their praises to Almighty God, and will give full utterance to the gushing warmth of their hearts, it will stand on its own merit; if it does not, it will fall, and no amount of legislative enactment will force it on the Church. The Committee seemed to have foreseen that, in recommending that the Hymnal should not be bound up with the Prayer Book until after another Triennial Convention.

So it must be with our formularies for the use of the Germans in public worship. We have been trying to gather them in; we have brought them right straight to the Church's door; we have set over them a ministry; but we have no sooner placed in their language our present Book of Common Prayer than, from its frigidity, its stateliness, and its want of accommodation to the idiom of their tongue they have said, "Give us the old, free, magnificent Hymnal of our mother country; give us our old forms which have adhered to us from our childhood." In the transition period through which all these foreign peoples are passing before they assimilate with, and become part of, ourselves, we must use certain bridges; we must allow them to use their old formularies, after they have been thoroughly examined and accommodated to the doctrine, discipline, and worship of this Church, until we can put a Prayer Book in their hands that is satisfactory.

The Committee have had that matter in hand, and I only make this statement of facts with a view of preventing unnecessary discussion on a point so plain, and which, when once understood in the view of that Committee, and, I have no doubt, in the view of the Committee on Canons, will commend itself to the sound judgment of all this assembly.

Mr. McCRADY, of South Carolina. We really have not embraced this whole question as yet. If I understand the reverend gentleman who last spoke, there is to be something else than the Prayer Book to be used in German. He says there are two translations, neither of which will satisfy these people. If he means to say that we shall get a German Prayer Book which will satisfy all the Germans in this country, I defy him to do it. They have their written language, it is true, and they have their literary language; but I have tested this matter in court. I have had a witness who could not speak English to testify, and I have called German after German to translate him, and they could not. Only a person who came from his own neighborhood in Germany could do it.

If you are going to have a Prayer Book in the German written language, High German, well and good; but if that will not suit, it will be useless. I would leave it to every man to take that which suits his own congregation and his own translation. If you mean that, so long as the Church gives the liberty, so let it be; but let us understand whether you mean that. If you do not mean that, let us know precisely what is meant.

The Rev. Dr. LEEDS, of Maryland. It is not contemplated to make any version of the Book of Common Prayer for use until such a version is perfected for the use of the whole German population. In the meantime it must be known to all intelligent travellers that there are Liturgies in Germany that are used throughout almost the whole Germanic dominion. They are used everywhere; they are understood. Pronunciation may differ, but there are no words that I am aware of in any of their Liturgies that are obscure to the people who have been in the habit of using them from their childhood up. Those old Liturgies which they have among themselves now, we propose to authorize just in the spirit in which the Swedish

Liturgies were authorized by the godly and venerable Bishop Kemper when he said, "I have nothing to put into the hands of these Swedes; translate to me, word by word, verse by verse, prayer by prayer, the Liturgy for the Swedes; wherever it differs from us in point of doctrine, I will modify it or eliminate it; wherever it agrees, let it stand;" and in that spirit he authorized the use of such formularies by the Church of St. Ansgarius.

In the same spirit we propose to allow these German congregations to use formularies endeared to them from their childhood and which are only to be used, so far as we can govern it, until such time as they are provided with an exact and happy translation of our own Prayer Book, the difficulties of which are very great. A committee has been sitting upon it year after year; translation after translation has been made. The two translations to which I refer, were neither of them indigenous with us. One of them was issued I think by the Religious Tract Society of our mother country, and the other I think was issued by the Christian Knowledge Society; but I will not be quite confident of the agencies that brought them forth. But throughout England, and throughout America, wherever we have made the attempt to force these upon the congregations of German worshipping people, they have proved a failure and a hindrance, and to-day we do not stand so well with the Germans in respect of the prospect of bringing them into our communion as we did some years ago; and yet there are Lutheran congregations—

The Rev. Dr. LEWIN, of Maryland. May I be permitted to make a statement of fact?

The Rev. Dr. LEEDS, of Maryland. Certainly.

The Rev. Dr. LEWIN, of Maryland. I will state that my friend who is now speaking on this subject does not seem to be aware that there are two translations of the Book of Common Prayer in German made in this country. One was made under the direction of the late Dr. Crusot. The other, which only contains the Morning and Evening Prayers, and also the offices, was made in this diocese. I have used the latter in this diocese. I have used the latter in this city many a time to German congregations, and have never found the slightest difficulty in carrying them along with me in the worship.

The Rev. Dr. LEEDS, of Maryland. I do not know that that is in conflict with anything I have said. I am only speaking of the two great versions that have been made, and that are now in use. I have the impression that Dr. Crusot made his translation upon the basis of one of the English, accommodating it to our use. I think I am right in that. As to the one to which my friend refers, touching the offices and the Morning and Evening prayer, I must say that I have no knowledge of it. I may have seen it, but I have never given to it any attention. All I wish to say now, however, which is germane to the subject, is that we are trying to accommodate the Germans with a book with which they are familiar, and which is edifying to them, until such time as we can do something for them.

The Rev. Dr. JACKSON, of Connecticut. I think this discussion is entirely premature. The question will come up in connection with the German Prayer Book. I am charged on behalf of this House, as Chairman of the Committee on the French Prayer

Book, to bring up that subject at the proper time, but I do not consider this the proper time. The only question now is in regard to congregations worshipping in a foreign language. We have conceded most fully that congregations may worship in a foreign language. The only question is, what kind of a book shall we furnish them. I do not consider that to be the question now under discussion, and, with all deference, I may say to my Rev. friend, the deputy from Pennsylvania, that I do not see that the language he first proposed needs any emendation. That we have congregations worshipping in a foreign language is perfectly and fully understood by everybody in this House, and that language does not need any change.

Mr. LIVINGSTON, of New York. Does it mean Latin?

The Rev. Dr. JACKSON, of Connecticut. No, sir.

Mr. LIVINGSTON, of New York. Is not Latin a foreign language?

The Rev. Dr. JACKSON, of Connecticut. Of course it is; but it is not understood to be within the purview of the provision.

The Rev. Dr. GOODWIN, of Pennsylvania. I think we may shorten debate by considering two or three things that have not been brought to view. The Canon as proposed refers expressly to "the Book of Common Prayer as the same is or may be established by the authority of the General Convention of this Church"; and all the rest of the Canon refers to just such a Prayer Book as that one "established by the authority of the General Convention of this Church." What we have to look at is that we have neither in Swedish, nor German, nor French, nor Spanish, as far as I know, any translation of the Prayer Book established by the authority of this Convention. These congregations cannot use the Prayer Book as would then be required by this Canon if there were none such provided. We really say for three years to come, at least, to all German congregations, Spanish congregations, Swedish congregations, French congregations, "You shall not worship in our Church, you cannot have congregations worshipping in our Church, for we require you to worship using the Book of Common Prayer as it has been established by the General Convention; and unless you can worship in English and unless you can use the English Prayer Book, you shall not worship at all." That is the condition in which we are. I say nothing about what the Germans must have or what the Swedes must have by and by; but until they have a translation of the Prayer Book in the language which they understand, authorized by this General Convention, what is asked for in this proviso is that the terms of this Canon shall not apply to their case, and what shall apply to their case may be provided for in resolutions hereafter to be proposed. A similar resolution to that referred to by the clerical deputy from Connecticut is already prepared by the Joint Committee on the subject of the German Prayer Book, signed by that committee, and is in my hands to be presented to this Convention whenever there is an opportunity to make the report. It is a resolution which will provide for that particular case, and I suppose each of the other particular cases may be provided for in some such way. But in the mean time the general Canon must not be left in such form as to preclude absolutely all such provision.

The Rev. Dr. JACKSON, of Connecticut. Allow me to interrupt the gentleman. Does he understand me as objecting to that proviso?

The Rev. Dr. GOODWIN, of Pennsylvania. Not at all, and I agree with my brother from Connecticut entirely that the language in which I originally proposed this was perfectly sufficient in common sense; but then the language which I have used afterward is also proper language as far as I know, and if it cuts off any case of perversion, very well. It is indifferent to me in what form it passes. I want emphatically to make this point, that the question is not now that a translation of the Book of Common Prayer into German does not satisfy the Germans. I have nothing to do with that now. That is not my point. It is that it has not been established by this Convention, and if you take this Canon it cannot be used by any congregation in this Church in the offices of public worship as a regular congregation. Let us provide simply for the necessity of this case, and let all discussions about what the Germans want, or what the Spaniards want, and all those things come in in their place.

Mr. SHEFFEY, of Virginia. I desire a little information from the member from Pennsylvania. I desire, as a layman, to understand the views of the clergy upon the effect of such an amendment, as is proposed by the clerical deputy from Pennsylvania. "Provided also, that it shall be understood that this Canon does not apply to the case of congregations, where the English language is not used or understood by the people."

Do I understand the deputy as intending that if the congregation be a foreign congregation, there shall be no liturgy or form of Prayer Book for that congregation. [Because that is the effect of this amendment, that this Canon shall not apply at all. That is to say, there shall be no liturgy, there shall be no Book of Common Prayer, for that class of congregations. If so, I ask for information, whether they can be congregations, composing a portion of the Episcopal Church in the United States, for the Constitution, which is higher than a Canon, declares that:

"A Book of Common Prayer, Administration of the Sacraments, and other Rites and Ceremonies of the Church, Articles of Religion, and the Form and Manner of making, ordaining, and consecrating Bishops, Priests, and Deacons, when established by this or a future General Convention, shall be used in the Protestant Episcopal Church, in those Dioceses which shall have adopted this Constitution."

I do not know what the incipient step may have been to introduce these German and Swedish Congregations into our Church; but if it be the intention of this amendment, to cut them loose entirely from the authority of the Prayer Book, to cut them loose entirely from all obligations to have a liturgy as prescribed in the Prayer Book, in whole or in part, then it would seem that we are proposing under our Constitution, to organize a branch of the Church, that is not Episcopal, that is not liturgical, that is not a branch governed by the principles recognized in the Book of Common Prayer; and where is the authority for that?

It is perfectly competent for us to authorize translations of the Collects, Liturgy, and Formularies of our Church, in any language; and then, as we give our Bishops the power in mission stations and other places where, owing to peculiar circumstances, the full service cannot be used, to prescribe a peculiar form of service for those localities, so we might trust the Bishop to prescribe for a German population, such selected forms out of the Prayer Book as, in his judgment, would suit their peculiar case and views,

and enable them to worship in a satisfactory manner. But if it be true, that our service is so wholly frigid, stately, and unacceptable to this German population, that we have to do away with our service to let them in, I want to know what we are letting them into. Are we letting them in and putting ourselves out? I am opposed to any such liberty with this Prayer Book of ours.

Mr. SMITH, of South Carolina. I did not understand the amendment of the gentleman from Pennsylvania, as having the effect suggested by the gentleman from Virginia. This Canon has two parts, the first restricting the congregations to the use of the Prayer Book as set forth; and the latter part of it relaxing that rule in certain cases of necessity. I understood the amendment of the gentleman from Pennsylvania, only to go thus far, that that relaxation, that proviso of the Canon, shall not apply to congregations using foreign languages because at some future time that case will be provided for. I understood that he intended the rule requiring the strict use of the Book of Common Prayer to apply to congregations using foreign languages, and that its relaxation, that is the adoption of services suited to particular emergencies, is not to apply to them. If so, and that is my understanding, a mere alteration of the amendment will remedy the objection made. Let it read, *Provided*, That the relaxation shall not apply to those cases," because for those cases provision will be made by translations into their languages, and those translations will be of the Book of Common Prayer in full.

The Rev. Dr. GOODWIN, of Pennsylvania. I desire to explain that I agree entirely and heartily with what has been said by the lay deputy from Virginia; and there was no intention on the part of any party here to depart from that view, and it was with reference to that that I sought emphatically to say, that all discussions here about the distastefulness of our Book of Common Prayer to the Germans or Swedes or anybody else, had nothing to do, in my apprehension, with my proposition. The intention of it is (and perhaps it had better be fully expressed), that until the Book of Common Prayer in the language understood by these people is set forth by the General Convention, for the use of French, Spanish, German, and other foreign-speaking congregations, this Canon does not apply to them. It is a proviso that it shall not apply to them, and what they are to do is left to be provided for elsewhere.

That the thing may be fairly understood as regards my intention, let me say that the resolution which is prepared to be reported in connection with the German Prayer Book, is that until such version shall be authorized and put forth by the General Convention, congregations worshipping in the German language shall be left to be directed by the Bishop of the Diocese as to the forms which they shall use, provided they are fully in harmony with the doctrine, discipline, and worship of this Church.

Mr. LIVINGSTON, of New York. I would ask the delegate from Pennsylvania if it would suit his views to add to his amendment these words, "So long as a translation in the proper language has not been adopted by the said General Convention."

The Rev. Dr. GOODWIN, of Pennsylvania. I was just about to propose to add, before sitting down, something to that effect, as I think it might remove misinterpretation, and then I would prefer to leave the language as it originally stood: "*Provided, also*, That it shall be understood that "this Canon does

not apply to the case of congregations worshipping in a foreign language, so long as no authorized version of the Book of Common Prayer in such language has been put forth."

The Rev. Mr. GILLESPIE, of Michigan. I think many of us do not understand where the words "with the approbation of the Ecclesiastical Authority of the diocese" come in. Please read the whole.

The Rev. Dr. GOODWIN, of Pennsylvania. "That on other occasions than Sundays, and the morning of those week days for which a special service is ordered, and at all times in mission stations and other places than parish churches, where the prescribed order of Morning or Evening Prayer cannot be used to edification, other services may be used, compiled only from the Book of Common Prayer; but no such deviation shall be permissible except on emergencies, without the approbation of the Ecclesiastical Authority of the diocese."

I suppose it had occurred to some that a further proviso was not needed; but it is to be observed that the proviso which I have just read will apply only to other occasions than Sundays, and at all times to mission stations and other places than parish churches.

The Rev. Mr. GILLESPIE, of Michigan. I ask whether this proviso, "*Provided also*, That it shall be understood that the canon does not apply to cases of congregations worshipping in a foreign language," is covered by the language, "without the approbation of the Ecclesiastical Authority in the diocese;" that is to say, are these congregations to be allowed to use certain forms of worship that they may see fit, or are they to be governed by the Ecclesiastical Authority of the diocese?

The Rev. Dr. GOODWIN, of Pennsylvania. The way the matter stood, in my mind, was simply to propose that this canon should not apply to those cases; leaving, as I said, those cases to be determined, each for itself, by an appropriate resolution according to the emergencies of the time. If this canon is declared not to apply to those cases, it does not hinder this Convention from passing a resolution determining how such cases shall be provided for *ad interim*, which, in the mean time, would load the canon very much. That was my view in offering the amendment; not, as I say again, that they were to be left without the direction of Ecclesiastical Authority, for every resolution that any committee here shall propose in regard to any foreign language, would include, of course, a provision that the Diocesan should, in his discretion, determine what services, consistent with the doctrines, discipline, and worship of this Church, should in the mean time be used in such foreign congregations. I say in "the mean time," that is, until a translation of our Prayer Book shall be provided for them.

The Rev. Dr. DALZELL, of Louisiana. Allow me to ask my brother from Pennsylvania a question. I am fully in accord with the sentiments which have been expressed here by the Rev. Dr. Leeds and others, who have advocated the proviso offered by our brother; but I suggest this to him in lieu of his amendment:

Provided, also, That the Bishop of the diocese be at liberty to compile and authorize such a form of public worship as may be most suitable for congregations worshipping in a foreign language.

The Rev. Dr. GOODWIN, of Pennsylvania. I was about to propose to substitute a proviso in the form in which the Committee on the German Prayer Book had proposed it, and it would be thus:

Provided, That until an authorized version of the Book of Common Prayer in any foreign language

shall be put forth, it is left to the discretion of each diocesan to license the use in congregations under his charge worshipping in such a language, of such formulary in their vernacular tongue as shall be in harmony with the doctrine, discipline, and worship of this Church.

I beg to substitute this for the original proviso.

The Rev. Dr. MITCHELL, of Georgia. I think it is the sentiment of the House, or a large number of the House at any rate, that we had better not legislate now in reference to a Prayer Book to be used in a foreign language; and that we had better make this Canon apply simply to congregations worshipping in the English language, which I think can be done, by inserting two or three words. After the word "minister" in the first line, I propose to insert the words "officiating to congregations in which the English language is used." I move that amendment.

The Rev. Dr. LEWIN, of Maryland. I have not trespassed on the attention of this House often, nor do I ever make long speeches; but I notice one thing, that where a few hundred dollars were involved this House sat very patiently for hours, but when a very great principle as to the worship of the Church, is under consideration, there is great impatience, and if an hour passes by, one or two gentlemen who are fortunate enough to be near the Chair occupying that hour, no one else is to be permitted to be heard, or at least is but impatiently listened to, when his views are given.

This Canon must be a very important one; for if an exception establishes a rule, there are exceptions enough offered here to the Canon upon the Book of Common Prayer to make it a very important and weighty Canon; and the exception, or proviso, proposed by the deputy from Pennsylvania, as has been so very clearly stated by the lay deputy from Virginia, makes not only a change in this Canon but an entire change in the organization of this Church. It permits persons to be at sea simply because they happen to worship in a foreign language. It strikes me that there is no difficulty even if they have not the Book of Common Prayer in their own language authorized by this Church. We have what has sometimes been called an extraordinary Canon or an extraordinary proviso allowing the Bishops to provide prayers for extraordinary occasions. If this be an extraordinary occasion when persons are desirous, as congregations, of worshipping with us but who have not provided for them a service, most assuredly the Bishop has then got it in his power to provide for them. You are opening here an avenue through which a great deal may enter which will be most pernicious, though I am sure it is not so intended by the reverend gentleman.

The PRESIDENT. Has the gentleman who is speaking heard the last amendment proposed by the deputy from Pennsylvania which seems to meet the very point that he is now making?

The Rev. Dr. LEWIN, of Maryland. Exactly, and therefore I think it is unnecessary to have any such proviso. Leave the Canon as it is, and it seems to me it is open enough and relaxed enough for any rule upon any subject. You allow in almost every case perfect license, such discretion and indiscretion that any man when he presumes that an emergency authorizes him, can do almost anything, except on some very few occasions. I do not think you need any further relaxation, and I am opposed to the amendment as amended.

The Rev. Mr. GIRAULT, of Louisiana. I am opposed to the amendment offered by the gentleman from Pennsylvania, not solely for some of the reasons given, though I think the lay delegate from Virginia has given us good and strong reasons why we should vote it down; but there are other reasons. I come from a part of this country where I have seen this thing work. The Church of Rome is with us and about us, and we are not ignorant of her devices. We know that she is capable of coming in amongst us with a profession of adhering to our rites and ceremonies; we know that she is capable of receiving orders in this Church with a Jesuitical design; we know that she will, under this very proviso, have her men leading our people astray, and teaching false doctrine; and it is because I would put everything in her way and fence off the field that leads to us from Rome, that I am opposed to this proviso. We have in this Canon sufficient provisos already; and if the gentlemen of the Convention will read it carefully, they will find that it is fully open, as the gentleman from Maryland has just said, almost open enough to drive a coach and four through. There is a proviso, that, not only in mission stations but at all times and in every place under certain emergencies, this Canon does not apply. Why, sir, I could make thousands of emergencies upon the most whimsical excuse, and defy the Bishop and the whole Church with this Canon in my hand. I am opposed, then, to this proviso. I hope it will be voted down, and that the Canon will be taken as it is presented by the Committee on Canons.

The PRESIDENT. The Chair supposes the question is on the amendment of the gentleman from Georgia (the Rev. Dr. Mitchell), to insert after the word "minister," in the first line, the words, "officiating to congregations in which the English language is used."

Mr. CARTER, of Maryland. That amendment is not in order. It is not an amendment to the amendment, but an amendment to the original resolution. No amendment is now in order except an amendment to the amendment proposed by the reverend deputy from Pennsylvania, and this amendment of the reverend deputy from Georgia is not an amendment to that, but an amendment to the original canon. It can be offered afterward; but we must first dispose of the amendment offered by the deputy from Pennsylvania. Anybody who wants to amend it, can move to amend it; but this amendment now said to be before us, is not in order.

The PRESIDENT. I understand that the amendment offered by the gentleman from Georgia, if adopted, would supersede the proviso offered by the gentleman from Pennsylvania and, therefore, may be offered as an amendment now.

Mr. CARTER, of Maryland. But it cannot be offered now. If the gentleman desires to offer a substitute for the whole original Canon, he can do it under our rules; but when you come to amend, you must amend the thing that is before you. What is before us? The amendment of the deputy from Pennsylvania, and no amendment to the original Canon can apply to that amendment. Any amendment to the amendment is in order; and if the amendment of the reverend deputy from Pennsylvania should be voted down, then the reverend gentleman from Georgia may offer his amendment to the original Canon.

The PRESIDENT. It is a question of logical construction.

The Rev. Mr. MITCHELL, of Georgia. I withdraw my amendment for the present.

The PRESIDENT. The question now is on the amendment of the gentleman from Pennsylvania (the Rev. Dr. Goodwin), to add the following proviso:

Provided, also, that until an authorized version of the Book of Common Prayer in any foreign language shall be put forth, it is left to the discretion of each diocesan to license the use in congregations under his charge worshipping in such languages, of such formulary in their vernacular tongue as shall be in harmony with the doctrine, discipline, and worship of this Church.

The Rev. Dr. WILSON, of Central New York. My friend on the right (the Rev. Mr. Girault) has spoken of the liberty granted in the proposed Canon to the Bishops in certain cases. I ask him if the latter part of this proposed Canon does not confine the Bishops in providing for such emergencies to the Book of Common Prayer, as now established. If so, then I wish to state to the Convention that it does not meet one class of cases that we want to provide for during the next three years, arising from the fact that in many of those congregations there is no translation of the Book of Common Prayer in the language which they use. Should we not continue to provide for them? It was asked by the deputy from Virginia if it was designed to open this—I do not know that he used the word, but that was the effect—to extemporaneous prayers, without a Liturgy. I wish to say to that deputy, and to the Convention—and I suppose that what I say will be confirmed by those who know the facts better than I do—that there are no such people in our country who are accustomed to extemporaneous prayers, or wish to have them. The usage, as far as I know, is invariable, the wish is invariable, the custom is invariable, to have liturgical worship. And now, all that we ask is that you shall not pass a Canon which precludes the Bishops in our dioceses from authorizing, or licensing, or allowing some of those forms of liturgical worship, to which these people have been accustomed, until such time as a satisfactory translation of our Prayer Book can be made for them. It does not prohibit the Bishop from making a translation in the next three days and introducing that, if he pleases, but merely authorizes the Bishops to allow these congregations to worship in such forms as they have, the best they have, and the best that can be had, for a little while, until something better can be provided. That is all we ask; that is all that is contemplated.

The Rev. Dr. LEEDS, of Maryland. I desire a moment's time to make a correction. The honorable deputy from Virginia speaks of the objection which is made by these congregations to the matter of the Prayer Book. I do not understand that any German congregation or any congregation worshipping in any foreign language that uses our Prayer Book in any version, objects to the matter of the same. I might address this assemblage in such unidiomatic English, in language so harsh, so cold, so stolid, that I would drive every one from the house. Why so? Because they object to the

matter of my preaching? No; but because they object to the manner. I once heard a profound divine in theology say that when he heard certain doctrines of the Creed, to which he gave the most implicit adhesion, preached in a certain way, throwing around the same by the infelicities of the preacher certain lights and shades which changed their whole complexion, he did not believe the doctrines preached. It is the manner of the thing that effects it; and it is the spiritless, cold version of the Prayer Book that places a wall between it and foreign use, but not at all, if I understand it, the matter contained in the same.

The PRESIDENT. The question is on the amendment of the deputy from Pennsylvania (the Rev. Dr. Goodwin.)

The amendment was rejected, there being, on a division, ayes 85, noes 98.

The Rev. Dr. MITCHELL, of Georgia. I renew my amendment to insert after the word "minister" in the first line, the words "officiating in congregations where the English language is used."

The Rev. Dr. GOODWIN, of Pennsylvania. A proviso was offered by me that this Canon should not apply to congregations worshipping in a foreign language. It was objected to until some further modification was made to protect it; and that has been voted down. Now, I beg to call attention to the fact that, if the present proposed amendment is inserted, it in terms confines the whole Canon to the case of congregations worshipping in the English language, and, of course, it does not apply to any congregation worshipping in a foreign language. Therefore, it is precisely to the same general purpose for which the proviso was offered which has been rejected, even with all the guards I could think of to throw around it.

The Rev. Dr. MITCHELL, of Georgia. I offered it because I understood many to object to saying anything about worshipping in foreign languages, but leaves to the action of the House subsequently to provide for cases of that kind. It makes this apply simply to congregations worshipping in the English language. That was my purpose in offering it.

The Rev. Mr. GIRAULT, of Louisiana. It implies that, surely, because if we say in the amendment "worshipping in the English language," it implies that it does not apply to those worshipping in foreign languages.

The Rev. Dr. LEWIN, of Maryland. I make the point of order that it is the very same question we have just decided.

The PRESIDENT. I decide that it is not, because, even if it expresses the same thing, it expresses it in another place, and with a different purpose.

The Rev. Dr. LEWIN, of Maryland. I take an appeal from the decision of the Chair. ["No." "No."] I do this because we cannot judge of the purpose. I am not aware that we have any such thing in the rules of order as the purpose with which a proposition is offered. The purpose is certainly the same. I withdraw the appeal.

Mr. MAGRUDER, of Maryland. I wish to call the attention of the House to the effect of this amendment offered by the gentleman from Georgia. As I understand it, it leaves these congregations to

have just such services as they think proper to have until translations shall be provided for them. My reverend colleague from Maryland made some remark, in the first instance, about leaving this to apply to the use of such forms as they had been accustomed to until they have accommodated themselves to the doctrines, discipline, and worship of our Church.

The Rev. Dr. LEEDS, of Maryland. Not at all; not until they have accommodated themselves, but until we have given them a version which is in conformity to the doctrine of this Church.

Mr. MAGRUDER, of Maryland. That is the same thing. If you leave them at sea until we have provided a version for them, and let them use such worship as they may think proper till then, I warn the Convention that we may be, under the guise of liberality, sanctioning the endorsement of heresy perhaps, or certainly some false doctrine that might be introduced.

The Rev. Dr. LEEDS, of Maryland. I beg pardon. My suggestion was that the formularies which they now have should themselves be made conformable in the *interim* to the doctrine, discipline, and worship of the Episcopal Church, so that there should remain in them no objectionable feature, and that they be allowed to use the same until this Church authorizes a version of the Book of Common Prayer in their language.

Mr. MAGRUDER, of Maryland. But who is to provide that? Who is to make them conform? Is it to be left to the sole discretion of the minister conducting the worship for that congregation? If so, if he is to be left to exercise his own discretion in the matter, he may be introducing some worship which this Church has never sanctioned and never could sanction. Now it is proposed by gentlemen to leave it thus in the *interim*. But we cannot sanction error of doctrine in the *interim* any more than we can sanction it permanently. I would be willing to settle this matter by something like this: I would be willing to leave these people to use such form in their own language compiled from our Prayer Book and in entire harmony with the services provided for missionary congregations and others which the Bishops now have the power to prescribe. I would allow them to have that service compiled from the Prayer Book, not such service as the Bishop might compile from any service he chose; but simply a compilation from the Prayer Book in their own language, which they might use until there should be an authorized version of the Book prescribed for them in their own language. I think it has been the defect in all the amendments proposed that they have undertaken to allow a service that might be taken from the Prayer Book or might not, from any source the Bishop might think proper. I propose to add at the end of the Canon the following:

Provided, that until an authorized version of the Book of Common Prayer in any foreign tongue shall be provided, any congregation worshipping in such tongue may use such form of service in their native tongue, compiled from the Book of Common Prayer as may be prescribed by the Bishop of the diocese.

That makes it in entire harmony with the legislation of the Church and in entire harmony with

the preceding part of the Canon. I think that would cover the whole subject and I think that it will be safe to do, without for one moment allowing any form of service that might, under the guise of liberality, introduce and sanction an error of doctrine. And, sir, I warn the Convention against leaving the matter in such a position as that.

Mr. MASSIE, of Virginia. I wish to call attention to another effect which I think the introduction of these words may have in the Canon. If we insert in the permanent Canon on the use of the Prayer Book the words proposed by the Rev. deputy from Georgia, confining it to cases where the Prayer Book is used by those speaking the English tongue, we may at this session of this Convention set forth a Prayer Book in German or in French, and then we shall be in the condition of having to adopt a second Canon to cover the worship of this Church. In other words, it will be giving so strict and rigid a scope to the present Canon, designed of course to be a permanent Canon, that we may find ourselves (although we have set forth a version of the Book of Common Prayer in German as authoritative as that we now use in English), without any Canon law covering it. I prefer very greatly the amendment just proposed by the gentleman from Maryland.

The Rev. Dr. MITCHELL, of Georgia. May I ask if a translation of our Prayer Book into any other language should be authorized for use by this Convention, would not such a Canon be necessary?

Mr. MASSIE, of Virginia. Then we should have to have two Canons to cover the same subject, whereas if the proviso just brought forward by the lay deputy from Maryland be adopted, there will be no such incongruity in the Canons. The Canon which we now propose to pass, surely ought not to be put in such form that if to-morrow we have an authorized version of the Prayer Book in another language, we shall have to go back and amend this Canon. That strikes me as a serious objection to this modification.

The PRESIDENT. The House will now perceive very clearly that the amendment offered by the gentleman from Georgia is not only different in its terms but much broader than the proviso which has been negatived; and that may be a reason for its rejection; but not for ruling it out of order. The question is on inserting the words proposed by the gentleman from Georgia.

The amendment was rejected.

Mr. MAGRUDER, of Maryland. Now I offer my amendment to add to the Canon this proviso:

Provided, also, That until an authorized version of the Book of Common Prayer in any foreign tongue shall be provided, any congregation worshipping in such tongue may use such form of service in their native tongue, compiled from the Book of Common Prayer, as may be prescribed by the Bishop of the Diocese.

Mr. WHITTLE, of Georgia. I really do not see any particular objection to that amendment, but I see no use for it. It is already provided for in the original report of the committee.

The amendment was rejected.

The Rev. Mr. EGAR, of Pittsburgh. I propose to amend this Canon by striking out the words "in parish churches," and after the words "for which a special service is ordered" to insert the words "and on Sundays when Morning and Evening Prayer are said at the accustomed hours, then at the other hours;" to strike out the word "only," after the word "compiled;" to strike out the word "such" between "no" and "deviation," and to insert after "deviation" the words "from the order of the Prayer Book," so as to make the proposed Canon read as follows:

Every minister shall on all occasions of public worship use the Book of Common Prayer as the same is or may be established by the authority of the General Convention of this Church; and this rule shall be understood to prohibit all additions to, or omissions from, the prescribed order of said book, except in the cases prescribed by Section 14 of Canon 13, Title I. *Provided,* That in parish churches on other occasions than Sundays and the mornings of those week days for which a special service is ordered, and on Sundays when a prescribed order of Morning and Evening service is said at the accustomed hours then at other hours, at all times in mission stations, and other places than parish churches, where the prescribed order of Morning and Evening Prayer cannot be used to edification, other services may be used compiled from the Book of Common Prayer, but no deviation from the order of the Prayer Book shall be permissible except on emergencies, without the approbation of the Ecclesiastical Authority of the Diocese.

In order to put my motion properly as one motion, I move that the proviso be amended to read as I have just read it. I offer this amendment because so far as I am advised in reading through the proviso as reported by the committee, it seems to prohibit anything being done in our churches on Sundays except the regular order of Morning and Evening service, and therein introduces very great embarrassment in certain cases in which liberty exists at present. I will mention two cases. The one case is that where the parish has not a separate Sunday school, and therefore is obliged to have the Sunday school in the Church. You will notice that the proviso does not extend to that case. The language "on other occasions than Sundays" excludes anything that happens on Sunday from the force of the proviso, and therefore prevents having a Sunday school in the Church on Sunday. It seems to me when you have made provision for Morning and Evening service being offered—and by service I mean rather more than Morning and Evening Prayer—I mean the whole service of the morning and the whole service of the evening. When that is provided for, it seems to me the proviso ought to state that liberty is allowed in that case for other services which may be necessary, and I think that liberty is sufficiently guarded by requiring the consent of the Ecclesiastical Authority of the Diocese.

I will state another case. It seems to me that taking the proviso as it reads, the language, "On other occasions than Sundays," also excludes from Sunday what is called the third service, in cases where Morning and Evening Prayer have been said. It excludes that thing which the House of Bishops in their pastoral letter three years ago commended to the Church—the throwing open of our houses of worship to extra services—except in the form of reading the Morning Prayer twice over, or Evening Prayer twice over; and then the provision in addition excludes what is known as the third New York service, I suppose, because that contains the *magnificat* or the *nunc dimittis*; it excludes any service which is not made wholly out of the Book of Common Prayer. It seems to me, therefore, that the first part of the amendment which I propose is necessary in order to make the proviso extend to Sundays, and that it is sufficiently guarded by the fact that it requires Morning and Evening Prayers to be said at the accustomed times.

Now I wish to call the attention of the House to another point which the amendment meets. The proviso says: "At all times in mission stations and other places than parish churches, where the prescribed order of Morning and Evening Prayer cannot be used to edification, other services may be used, compiled only from the Book of Common Prayer." I move to strike out the word "only," and I will state the reason for it. Take the case of the matter which has just been discussed in the Board of Missions, and in which my brother the deputy from Erie (the Rev. Mr. Spaulding), has had very great success, and in which he is very much interested, the holding of mothers' meetings or cottage lectures in a private house. This proviso extends to places other than parish churches; that is to say, to any services held in the school-house or in the house of a parishioner. This language, "compiled only from the Book of Common Prayer," excludes other prayers in the very nice little book, got up by my brother for mothers' meetings. Inasmuch as it is a regulation how the minister shall conduct himself in ministering about his parish, it seems to me that it prevents his using anything that is not taken from the Book of Common Prayer in any ministrations whatever, and I very much doubt, in my own mind, whether it permits the offering even of extemporaneous prayer by the side of a sick bed, because that is another place than the parish church, and the order is that in other places than parish churches services may be used compiled only from the Book of Common Prayer.

The Rev. Mr. HANCKEL, of Virginia. Will the gentleman allow me to make a motion that I think will meet his views and I think the views of two thirds of the members of this body.

The Rev. Mr. EGAR, of Pittsburgh. I am willing to have it stated.

The Rev. Mr. HANCKEL, of Virginia. We have reached, I think, a conclusion, and that conclusion is the absolute impossibility of settling anything here where a majority of the members, instead

of listening, are all preparing some project of their own. I therefore move you, sir, to recommit this matter to the Committee, with the privilege extended to every gentleman on the floor of sending in his proposed amendments to the Canon. (Laughter.) The gentleman is not listened to by anybody, everybody is writing some amendment of his own.

The Rev. Mr. EGAR, of Pittsburgh. I have no objection that that motion be put.

The PRESIDENT. It is moved that this report be recommitted to the Committee on Canons.

The Rev. Mr. HANCKEL, of Virginia. With the privilege allowed to every member of sending in his proposed amendment.

The Rev. Dr. HAIGHT, of New York. That is always allowed.

Mr. WITHERS, of Virginia. Would not the effect of the motion be to have the whole thing gone over again when it comes back? Let us hold on to what we have got.

The PRESIDENT. The gentleman from Pittsburgh has given way to a motion to recommit. That is the motion now before the House.

The motion was not agreed to.

The Rev. Mr. EGAR, of Pittsburgh. I do not wish to embarrass the action of the Committee at all, nor is my amendment presented simply to make a speech, but to show the difficulties that are in my mind. If those difficulties can be removed without its being necessary to adopt my amendment, I shall be very glad indeed; but it seems to me that these cases are not provided for. People who know me know well enough where I stand on Church matters to know that I have no sinister projects in view for the sake of shaking the authority of the Book of Common Prayer.

I wish to say one thing further, and that is that I think we are in a disposition to go quite as far as we shall approve when we come to reflect upon it hereafter, in the matter of prohibitive legislation. I can see a grand system of prohibitive legislation touching the worship of Almighty God. When I say that, I mean that. I do not mean the worship of any angel or the worship of any material thing under the pretence of being the worship of Almighty God; but I say I see a danger of introducing the principle of prohibition, instead of the principle of provision for worship; and therefore I do not want to see so very many restrictions placed in our path. I think—and I simply bring this in as an illustration of my argument—that the decision of the House the other day with respect to the prohibition of all hymns except such as might be contained in the Hymnal when finally arranged and adopted by the Convention, is the first instance in eighteen centuries and a half in which legislative action has prohibited hymns from being used. And it seems to me that when we consider what the purpose of the Church is in providing for the worship of the people, we ought to come down to first principles; and the first principle, it appears to me, in regard to public worship is this: that every Christian man has an inalienable right to worship Almighty God

in that way which is most to God's glory and to his own edification and salvation. It seems to me that that is the one grand principle which lies at the foundation of all worship, that every individual man has that right.

Mr. JUDD, of Illinois. I rise to a point of order. The gentleman has now got back to first principles. My point is that the gentleman having yielded the floor for a motion to recommit has lost it and is not entitled to it now.

The PRESIDENT. He has it now at all events.

Mr. JUDD, of Illinois. But the point is that he is out of order.

The PRESIDENT. No, sir, his amendment is before the House. He has the floor and no other person has.

The Rev. Mr. EGAR, of Pittsburgh. Laying down the principle that every man has the inalienable right to worship Almighty God, I say that the Church by her legislation does not confer on any man the right to worship God, but that the object of the Church's legislation is simply to regulate and co ordinate the worship of the common body; and in order to do that, all previous legislation on the matter of the Church's worship, proceeded in this way that the Church has provided for her ministers a certain prescribed form of worship, which it says will conduce to the edification of the people submitted to her charge, and the Church takes the guarantee of her minister that he will work toward the edification of his people by saying, "You shall perform that service and all of that service." The Church requires the minister, therefore, to perform this service and all this service for the edification of the people in the congregation; but the Church has never said to her minister, "You shall stop there," or, "You shall go on." She has permitted him to go on with his pastoral work at his discretion in other ways. The Church, for instance, has provided for one sermon on a Sunday. When the ante-communion service is read, then it says then shall follow the sermon; but the Church has never said that a man shall not preach a sermon after Evening Prayer. The Church has said, "You shall have Morning Prayer; you shall have Evening Prayer; you shall have the ante-communion service, and the Communion service;" but the Church has never said, "You shall not have Sunday school, you shall not have missionary meetings, you shall not have a special meeting for revival; you shall not have an *extempore* prayer meeting." I do not wish to see the Church moved from that principle, because I think a movement from that principle will be restrictive of the work of the ministry, and restrictive of liberty, and not restrictive of license.

The Rev. Dr. PADDOCK, of Long Island. I thank the gentleman very much for his lucid explanation of the grounds on which his objections to the Canon, as now drawn, are based. I was very much afraid that he would be induced to take his seat before he had fully and distinctly stated the grounds out of which the several objections which

he has stated grow. I begin with the statement as I gather it from his own lips, that his objections to this Canon are based on the presumption that the Church has provided a minimum of public service for use in her congregations, and puts no restraint upon any addition to those services. I understand him to say that when the clergyman has performed the services as laid down in the Book of Common Prayer, there is no limit except the judgment of his own conscience as to what he may not add to that service.

The Rev. Mr. EGAR, of Pittsburgh. Will the gentleman allow me to interrupt him?

The Rev. Dr. PADDOCK, of Long Island. Certainly.

The Rev. Mr. EGAR, of Pittsburgh. If my remarks were capable of such a construction I disavow it now. What I said was of course subject to the limitations on his position as a presbyter of the Church of God.

The Rev. Dr. PADDOCK, of Long Island. It is very difficult for me to apply all the limitations which appertain to his position as minister in the Church of God, to the reduction of the broad statement made by the gentleman that this Church proposes in her Book of Common Prayer only the minimum of worship for her people, and allows such additions thereto as the clergyman may be pleased to make. On that principle I acknowledge at once that this Canon would be utterly impracticable. This Canon would undoubtedly restrain what I may be permitted to call (and I call it so with all courtesy toward my friend, the reverend deputy from Pittsburgh), that degree of liberty which gentlemen who proceed on that supposition might require; and it would restrain what I shall venture to call the pure and simple Congregationalism which the gentleman has here advocated as to the rights and privileges of parties in the public worship of God.

Now, sir, as to a few points, and those are all I care to touch upon—of specific objection apart from any broad principle. I understand the gentleman to say that in his judgment mothers' meetings gathered in a Church for the instruction, after the manner of a Bible class, for instance, of a few poor women, perhaps by a Christian woman as their instructor—the more common way I suppose of holding mothers' meetings—are supposed to be such "occasions of public worship" as are contemplated when this Church in this Canon and other Canons, uses such language. "All occasions of public worship, where the minister is bound to use the Book of Common Prayer," are supposed to be mothers' meetings! He supposes also that Sunday schools fall under that description, and that the assembling of a Sunday school is, in the same way, an occasion of public worship! I do not care in the least to argue that. If it be the mind of this House that in judgment of this Church those are the occasions which are meant by any Canon whatsoever which speaks of "occasions of public worship," then without a doubt they will vote for all

these amendments, or at any rate vote down the Canon as it is now presented.

As to that third service to which the gentleman alludes, called the New York third service, I must beg leave to correct what I believe to be an erroneous statement into which he has fallen. I have used that third service ever since I entered the ministry, now nearly twenty years. By that third service is understood the service provided by Bishop Hobart, where the two services appointed in the Book of Common Prayer had been used.

I supposed that this Church very well understood what the New York third service was. In all my practice, in all my notice of it, I have never before learned that the New York third service, as understood by that phrase, included either the *nunc dimittis* or the *magnificat*, although I have no manner of objection to such a portion of Holy Scripture being drawn in if it be deemed expedient.

As to the missionary services set forth by the House of Bishops for use on special occasions, I need, I suppose, hardly argue that such services as those are not to be shut out by a Canon which is provided for the ordinary occasions of public worship, any more than we are to provide against our prohibition of the special forms of thanksgivings allowed distinctly in another Canon to be set forth.

I desire still further in conclusion to say, that I do conceive, that a most dangerous principle lurks in the gentleman's desire to draw his pen through that one little word "only," where the Canon requires that the compilation shall be "only from the Book of Common Prayer." I believe that that is the very safeguard of this proposed Canon. It is not pertinent, perhaps for me to say, that I believe that no such legislation as this can ever pass the other House, no such Canon, full of liberty as it is, if we are to allow no restriction, and we are to say that the service may be compiled from anything whatsoever, which gentlemen may be pleased to bring in. What will hinder us, I ask, from adopting in our services, and on Sunday too (according to the gentleman's proposition, but not according to this Canon), some of those books of devotion that are now most industriously circulated through this American Church, which contain false doctrine in the judgment of ninety-nine one-hundredths of the ministers and people of this Church?

The Rev. Mr. EGAR, of Pittsburgh. Allow me to say to the gentleman, that the amendment I offered provides against that. It provides that no deviation shall be permitted, except on emergencies, without the approbation of the Ecclesiastical Authority of the diocese. The Ecclesiastical Authority of the diocese has a right of supervision, except in the case of such a special emergency, as that which happened the other day, when we prayed for the sufferers by the Chicago fire. I may be wrong, but that is my construction; and I think that meets the argument, because the approbation of the Ecclesiastical Authority being required, that is a sufficient guard against any such irregularities.

The Rev. Dr. PADDOCK, of Long Island. If the gentleman had allowed me a few words further, his speech by way of interruption would not have been necessary. I was intending to allude to that restriction, and to say that it is entirely conceivable, that in the history of this Church, in the future, there may

be even Bishops who may not be altogether trustworthy; and I venture to say, in order to show that that may be, that the thing which hath been is the thing which can be, and that it has happened in the history of this Church, most unhappily, that one Bishop of the Church continued administering his diocese till the day when he took ship to go to make his obedience to the Pope, in the city of Rome. I do, therefore, say, that such is the possibility of error on the part of even consecrated Bishops in the Church of God, that I would not for one moment give my vote to any Canon, which would allow men to compile services as largely and freely as this allows, unless the compilation be confined to the Book of Common Prayer.

One thing further, and I have done. It is proposed still further by the amendment suggested, that if the two services appointed for the Sunday, are once performed, then there shall be no manner of restraint of any provisional service whatsoever, except the restraint already alluded to, viz.: the prohibition of the Bishop. I beg leave to suggest, that it is entirely possible for the first service to be appointed at 7 o'clock, in the morning, that perchance being the ordinary hour of worship in that particular parish, or being made the ordinary hour of worship for a purpose, and it is possible then to appoint the second service at half past seven in the evening, and to leave the entire body of the Lord's day open for any services whatsoever which the rector may choose to arrange, compiled from any sources whatsoever, for the edification of his people during that very portion of the Lord's day; on which probably nine tenths of his congregation will frequent the parish church.

Mr. GORDON, of Alabama. Mr. President, during the discussion of the amendment which was first proposed, my heart beat so entirely in sympathy with those who desired to have some modification of the service to meet the particular exigency of the occasion that I not only listened with great pleasure but I studied, in the language of my friend from Virginia, this Canon as reported by the Committee on Canons, to see whether according to my poor ability I might be able to add a single word of improvement; and yet, sir, the more I listened and the more I studied, the more was I satisfied with the wisdom of letting the language of the Committee on Canons alone; and hence I was silent during that debate. And I have been silent thus far during the debate upon this present amendment, until a time has come which is now nearly the time for our adjournment, when it does seem that it is right, if possible, to make an appeal to this House to have confidence in its committee. The reverend gentleman from Pittsburgh has stated that there has never been any prohibitory legislation upon the subject of the use of the Book of Common Prayer in the Church of God.

The Rev. Mr. EGAR, of Pittsburgh. Will the gentleman permit me to interrupt him? According to my recollection of the statement which I made, it was somewhat different from that. I spoke of prohibitory interdiction. I desire, with the consent of the House, to restore the word "only" while I am up. Let the Canon as I propose to amend it, read with the word "only" instead of without the word "only."

Mr. GORDON, of Alabama. I hope that the House will vote down the amendment entirely and will adopt the language as reported by the Committee on Canons without any alteration whatsoever. Canon 20, which was originally upon the statute-book of our Church, reads in a far more restrictive way than the

Canon which has been reported by the Committee on Canons :

"Every minister shall, before all sermons and lectures, and on all other occasions of public worship, use the Book of Common Prayer, as the same is or may be established by the authority of the General Convention of this Church; and in performing such service, no other prayers shall be used than those prescribed by the said Book."

Now, in the canon that has been reported by the Committee on Canons, in the proviso there is an enlargement of the liberty of the Church upon the subject of the use of the Prayer Book; such an enlargement as, it seems to me, appeals to the good sense and to the judgment of this body, and beyond which I, for one, am not willing to go. Sir, it seems to me that the want in the Church of God is not a little less use of the Prayer Book, but a little more use of the Prayer Book. It has been my misfortune, under the dispensation of Him who doeth all things well, to stand by the bed-side of the dying loved ones of my own household; and, sir, it would grate upon my heart if any other than the noble liturgy of the Church had spidden those dear ones to the grave. I want nothing but the Prayer Book and the language of the Prayer Book; and if the reverend gentlemen who have desired that there should be larger liberty at the side of the dying bed, would use the entire "Visitation for the Sick," from beginning to end, as it has been given to us in the Prayer Book, for one it would appeal more to my heart, for one it would stir deeper the emotional nature of my soul, for one it would satisfy the aspirations which I have to mingle in the communion of saints.

I say, therefore, that what we want is more of the Prayer Book, not less of it. There is elasticity enough in the present canons for all practical purposes whatsoever. But so long as we have the Prayer Book—and thank God that we have it!—so long as that Prayer Book is our inheritance, I want, in all the offices of the Church, that the minister of God should be confined to it, and not tempted to go beyond its provisions. Even if he feels the need of enlargement, and feels in his heart the deep emotions of sympathy and pity, and would feign believe that with his words he would be able to bring fitter and fitter instruction to those who are around, and those who are upon the sick bed, I want him to recollect that this has come down to us embalmed for centuries, embalmed in the recollections of the living and the dying, and to be deterred from the temptation of touching, adding to, or subtracting from the noble liturgy of the Church.

I do not wish to detain the Convention. I rose simply to adjure them, in view of the large amount of important business still before us in view of the fact that the Committee on Canons has reported a terse, sententious, proper Canon for the consideration of this Convention, to vote down the amendment and vote for the report of the Committee.

The Rev. Mr. SPAULDING, of Pittsburgh. I do not rise to make a speech to this House, nor to preach a sermon. My own opinion is that we have too much preaching. But I am in favor of the amendment of my brother from Pittsburgh, for I think there is a real difficulty here. I think that for Sundays in parish churches we want more liberty than is here given us. For example, it has been recommended, I think, by the House of Bishops to have in parish churches occasional services, to have services at different hours, and shorter services. I think that is in the spirit of the recommendation of the House of

Bishops in their pastoral letter three years ago. I think it is sufficient if at the regular hours of devotion we have Morning and Evening Prayer, unchanged, unaltered, but what we want to do where we have no Sunday school, is to provide a service for children. As the Canon stands here, such a service on Sundays would be forbidden without using the whole of the Morning Prayer. I ask if it is not?

The Rev. Dr. PADDOCK, of Long Island. I do not consider that mere Sunday school service, if the object be to gather children for catechising, is the intention of the Canon. That is not an "occasion of public worship." Of course the offering of one prayer in a Church, gentlemen, may insist is public worship; but it is not, within the intent of this Canon, "an occasion of public worship." It is for the catechising of children. If the gentleman desires to catechise children in place of a sermon, and make it take the place of a second service, I hope he will consider the canon to allow it.

The Rev. Mr. SPAULDING, of Pittsburgh. What I would wish to provide for, would be a children's service regularly, in addition to the regular public worship, a service that might be compiled only from the Book of Common Prayer, and in which parts of the order for Evening Prayer might be omitted. I think that is prohibited by this Canon as it stands. I wish also to provide for the multiplication of brief services on Sundays in parish churches. I would also wish to provide distinctly—and I will offer an amendment, if an opportunity is given, if this is voted down—for a division of the service. I think that ought to be provided for here. My object is not at all to embarrass the committee or the House, but to secure what we actually need in parish churches for our work, to make our work effective.

The Rev. Dr. SPALDING, of Wisconsin. I believe I have spoken but three times since I came to this Convention, and I want to say one word on this very important question so dear to us. Notwithstanding what has been said about so much "preaching" here, perhaps some persons who have worked in the Missionary field proper might like to say a word in reference to this Canon.

I have been engaged in the work fourteen years, and it has never occurred to me that the stringency of the old Canon as it stood, was so great as it seems to be represented in debate here: and I have never interpreted it more liberally than I found my Bishop was willing to interpret it. In all my work, wherever I have been, I have used the Prayer Book just exactly as it stands, and I have never known any person to complain. I have preached in school-houses, in private houses, in the open air, and in houses of religious bodies; I have gone into places where I was the first clergyman the people had ever seen, and the surplice I wore, the first surplice they had ever seen, and I have delivered that service, and I have never found it anything else than a powerful agent in the work of the Church.

I have never construed it as meaning any of those things of which gentlemen have spoken in this debate. I have heard the venerable and saintly Bishop Kemper take the Office for the Visitation of the Sick, and use it at the death-bed, and add to it some verbal prayer of his own. That sainted apostle and missionary never thought he was breaking the Canons by departing from the Office for the

Visitation of the Sick. And so, under emergencies, I have always regarded the Prayer Book very much like our Father in heaven, as never asking of any man to do that which he cannot do. I never considered that the Prayer Book was framed with anything else than the Spirit of God, the spirit of the Gospel, that all that was demanded of a man, was that he should do the best he could, and when he could not do one thing, he might do the very next best thing to it. I have always understood the Prayer Book in that way under the present Canon as it stands. Therefore I have never regarded myself as bound by any Sunday service, but in my parish and during the Lenten services, I have taken that Prayer Book and adapted it. On the first Sunday of the month, I have services in the morning, by the Bishop's advice and consent, to the end of the Prayer Book; and then have an intermission of twenty minutes, and then go on with the Litany and Ante-communion service, having dismissed my first congregation, my number of communicants being very large.

I sympathize deeply with the words spoken by several of my brethren here on the importance of standing by the Prayer Book. We cannot in this latitudinarian age, open wider the doors just now, when brethren all around are calling for forms of prayer, calling upon us to bind up that which is broken, and tighten that which is loose. We hardly want to loosen our foundations now and open the gate wide for all forms of error and of personal self-will to enter in and devastate this fair heritage which God has given us, just at the very time when the country is opening its arms to receive our ministration. I do hope, therefore, that the Canon as it has stood, will be allowed to continue. I do not see that this Canon, in any way, very greatly changes the condition of things under the old Canon.

I wish to ask, also, who is to prescribe the "emergencies" that are here spoken of? It certainly is not the Bishop of the Diocese. Some men will find an emergency where others do not. As I have said, I have never met any such emergency as is here spoken of. I have preached under every conceivable condition of circumstances, and I have found the Prayer Book always most wonderfully adapted to every occasion, until I began to think that the men who compiled that Prayer Book, and the Convention that first advised it, must indeed have been inspired by the Holy Ghost from on High. I feel that we ought to deliberate and pray and think well, and even endure some little "preaching," if necessary, before we hastily decide this thing. I therefore hope that this Canon will be carefully considered, that we shall think well before we open the Prayer Book to any innovation whatever. The world is now crying for liberty, and we must be very careful lest we let our liberty run into lawlessness in some directions.

The Rev. Mr. HUNTINGTON, of Massachusetts. A very simple expedient has occurred to me, which will settle this matter in a moment, and I hope the gentleman from Pittsburgh will accept it as a substitute. It is, that the title of the Canon be amended to read thus: "Of the use of the Book of Common Prayer in public worship." That will meet the whole case. It meets the objections of the

gentleman from Pittsburg; it meets the objections of the gentleman from Long Island. The trouble is, that in the proviso there seems to be something different contemplated from what is contemplated in the opening sentences of the Canon; but if you insert the words, "In public worship," in the title, it will be seen that covers the whole intent of the Canon, and Sunday school services will be seen not to be included, extemporaneous prayer meetings will be seen not to be included, but only those occasions that profess to be *bona fide* occasions of public worship. I ask the gentleman from Pittsburg to accept that amendment.

The Rev. Mr. EGAR, of Pittsburgh. I am very sorry I cannot accept the amendment, simply because I have a definition of public worship which is very clear in my own mind, and that is—

Several DEPUTIES. Question! Question!

The Rev. Mr. EGAR, of Pittsburgh. I only want to say, in one sentence—

The PRESIDENT. The gentleman cannot do more than merely answer the question whether he accepts the amendment. It is not necessary that he should give his reasons. He has spoken twice, and the House is evidently not in a humor to relax the rule.

The Rev. Mr. EGAR, of Pittsburgh. I do not accept the amendment.

The Rev. Dr. McNAMARA, of Nebraska. I agree somewhat with my friend from Pittsburgh. I trust that we shall not put any more restraints than we have on the extension of the Church of God to the multitudes who are beyond her bound.

Sir, I am in favor of using the prescribed service of the Church in the morning just as the Church has laid it down, and the prescribed service of the Church in the afternoon just as it is laid down; but I believe the Bishop of this diocese, Bishop Whittingham, has said that on occasions when we want to preach to the half-instructed multitude, and especially to those who are not connected with our Church, and know nothing about it, we can turn up a barrel anywhere and make known the unsearchable riches of Christ to that multitude, without going through this glorious service of ours, which is only designed for those who are well instructed in the Church.

To illustrate this point, in my parish in La Crosse, Wisconsin, I had my morning and evening services regularly, and at night I would call the multitude together to preach to all who might come, Christ and the Church, for I never separate them. There are hundreds of people who, because they do not understand the services of the Church, will not come into the public assembly to show their ignorance; they do not know how to find the places. I wanted to get them forward that they might hear the Gospel of Christ by an authorized Episcopal minister of the Church, and to explain to them the services of the Church, and I preached to those who would come at night. There was a man there who was so stiff-necked a Churchman that he would not come at all, and went around trying to persuade the people not to come to hear the Gospel after I had used the service in the morning and the service in the afternoon.

I say that the Canon will be regarded as restrictive of all efforts outside and beyond the services of

the Church as prescribed. It must be so regarded. The language is, "on all occasions of public worship." Everything will be regarded as an occasion of public worship, when three or four persons are gathered together, that will be regarded as public worship. Any reading, of which notice has been given, may be called an occasion of public worship, because notice has been given.

Mr. President, I think this should be regarded as a very important matter. We should not restrict the efforts made in behalf of Sunday Schools and preaching to the multitude, after we have used the services of the Church morning and evening on Sunday. Then, as has been eloquently said by, I believe, the Rev. Dr. Paddock, of Long Island, on Lenten occasions, we should have some special services, so that people who have only a few minutes to spare, may drop in and attend the service. Must I call on the Bishop of my Diocese to give me permission to have such a service? I think not. I think this Canon is restrictive; and I am just as thorough and sound and loyal a Churchman as can be found on this floor. That is my own opinion of myself, at any rate. [Laughter.]

Mr. WHITTLE, of Georgia. Before the vote is taken I should like to ask a question of the gentleman who reported this Canon for information. As I, and several gentlemen around me, and I may say one of the very Committee that reported it, understand this Canon, it prohibits absolutely on Sundays in parish churches the use of any other service than the full Morning or Evening service of the Prayer Book, so that, as has been said, you could not use a Sunday school service or any other service. Will the gentleman having charge of the report be kind enough to inform us what the meaning of the Committee was on that point?

The Rev. Dr. PADDOCK, of Long Island. I thought I had once informed the deputy from Pittsburgh (the Rev. Mr. Egar) that in the judgment of the Committee on Canons, who were unanimous in recommending this Canon, it was not supposed that a Sunday school exercise, or whatever you call it, in the Church on Sunday morning or afternoon was an occasion of public worship, in the sense in which the Church uses the term.

Mr. WHITTLE, of Georgia. Then allow me to ask further if this language is not too absolute:

"Every minister shall on all occasions of public worship use the Book of Common Prayer, as the same is or may be established by the authority of the General Convention of this Church; and this rule shall be understood to prohibit all additions to and omissions from the prescribed order of said Book, except in the cases prescribed by Section 14 of Canon 13, Title I."

On turning to that it will be seen that it does not apply to Sunday school service; it does not apply to such a service as that mentioned by the gentleman from Nebraska and various other services which are most useful, if not absolutely necessary, in parish churches. I hope we may have further information on this subject, and, if necessary, that this canon be recommitted and more happy language (if I may be allowed the expression) may be used by the Committee.

The Rev. Mr. EGAR, of Pittsburgh. The gentleman from Georgia asks for the interpretation of

the committee on this Canon. Sir, the question is not what interpretation the committee may now put upon it, but what interpretation any ecclesiastical court would give to it.

Now, sir, I wish to say another thing—

The PRESIDENT. I do not think the gentleman can have liberty to speak again on this point. The same matter is still before us.

The Rev. Mr. EGAR, of Pittsburgh. I understand that I have a right to speak twice on the question.

The PRESIDENT. You have spoken twice.

The Rev. Mr. EGAR, of Pittsburgh. I am not aware of it. With the permission of the House, I may be allowed to state one fact.

The PRESIDENT. Will the House grant leave to the gentleman to speak again? ["No;" "no."]

Mr. MATTHEWS, of Massachusetts. I hope we shall not grant leave to any one to speak the third time in the course of a debate. The gentleman has certainly talked enough on this subject, and I believe the House do not want to hear any more explanations. I hope we shall come back to the original report as it came from the committee.

While I am up, I will state that one or two entire delegations have left the House, and I know that many more intend to leave on Saturday night. The probability is that we shall not have a quorum after Monday or Tuesday next, and I therefore urge upon gentleman the great importance of despatching business more rapidly. If we do not, much important business will have to lie over.

This new Canon has been considered by a committee representing all parties in the Church, and they have given it mature deliberation, and I do not think, unless there is some important doctrine involved, that we ought to question the report of the committee upon these little minor points. If we do, we may sit here until next spring and then not accomplish anything.

The Rev. Dr. BEARDSLEY, of Connecticut. I have listened very attentively to this rambling discussion and have picked up the thoughts as they have been dropped by different speakers. I have arranged, in my own mind, a close and logical argument going into the history of the regular and irregular use of the Book of Common Prayer. I think it would require a full hour for me to make the argument, and do justice to myself and the subject. If the House is ready for the question, I will yield the floor; but if not, I shall claim it to make my argument. (Laughter.)

Several DEPUTIES. Question! Question!

Mr. WHITTLE, of Georgia. It is with a great deal of diffidence that I force myself on the House in its present temper, and in justice to myself, I will say there is scarcely a member of this House who stays here at more inconvenience, so far as personal affairs are concerned, than myself. Within half an hour I have received a telegram urging my immediate return home, but I declined to go because I think the business of this House more important than any business of my own.

Now, sir, if I be right in the difficulty that I stated (and it was suggested to me by a member of the Committee), we are going to make a very great mistake for the next three years before we can correct this thing in the usage and working of the Church; and, for one, I hope we shall hear the reverend gentleman from Connecticut, who says he has prepared an argu-

ment on this subject, even if it takes two hours, for I do not think we can spend two hours better than in unravelling this matter and having it understood. I hope we shall listen to that argument, or recommit this report to the committee, and let them revise it.

The Rev. Mr. CURRIE, of Rhode Island. I hope the argument of the gentleman from Connecticut will be heard. We are doing a very great thing indeed,—a thing which we cannot retract for the next three years; and I beg the House to listen to that argument because we are not informed on this subject.

The Rev. Dr. MEAD, of Connecticut. If the question cannot be taken, I rise to move that the whole subject be laid on the table, and there let it lie until doomsday. ["No!" "No!"] We have heard enough certainly on the subject. If the question is not to be taken at once, I insist on the motion to lay on the table. We shall then have the old Canon remaining, which is good enough for me.

Mr. WHITTLE, of Georgia. I second that motion.

The PRESIDENT. The first question will be on the motion of the gentleman from Connecticut. [The Rev. Dr. Mead.]

The motion to lay on the table was not agreed to.

The PRESIDENT. The question now is on the amendment of the gentleman from Pittsburgh. [The Rev. Mr. Egar.]

The amendment was rejected.

The Rev. Mr. SPAULDING, of Pittsburgh. Now, I move, after the words, "compiled only from the Book of Common Prayer," to insert these words:

Provided, also, That other services for other occasions than the accustomed public worship may be abridged from the Prayer Book, and at all times Morning Prayer, the Litany, and the Office of the Holy Communion may be said at different hours.

Then follows the restriction upon this as upon all the other parts of the proviso:

"But no such deviation shall be permissible, except on emergencies, without the approbation of the Ecclesiastical Authority of the diocese."

I offer this amendment in order to provide for a real exigency necessary for working-parish-lergymen in order to the efficiency of their work. I will not now state what those exigencies are. They have already been explained on this floor and deputies understand them well.

I wish to say also that for my own part, in the use of the Book of Common Prayer, I make the same liberal construction that other members do, that my brother from Wisconsin does, for example. I find no difficulty in using the Book of Common Prayer; I find no difficulty in adapting it to all occasions; but it is by the same liberal construction which he gives to the Canons and Rubrics, and which his Bishop authorizes. I do the same with the permission of my Bishop, and thus am able to use the Book of Common Prayer for all sorts of occasions and all sorts of purposes. But there is the difficulty: There are those who object to such liberal constructions and do not find them on the face of the Canons and Rubrics, and they object to the use of the Book of Common Prayer in such ways as our Bishops permit, because the Canons are very strict and do not, apparently, allow such liberty. It is the custom universally in the Church for the working clergy to give a liberal construction to the Canons; for example, to have Morning Prayer at an early hour, and afterward to have the Litany and the Ante-Communion service. I do

it, and I know many others do it; but there is not, that I know of, any canonical authority for doing it, and there are some who, when we do it, object to this construction and thus injure our work. I want whatever liberty is permissible to be expressed, so that none can object to us in our work and thus injure our efficiency.

Mr. JUDD, of Illinois. I rise, not to make a speech, but simply to move that unless the vote be taken sooner, it shall be taken on the main question in two minutes from this time.

The Rev. Mr. HUNTINGTON, of Massachusetts. I should like to ask, through you, sir, the gentleman from Long Island (the Rev. Mr. Paddock) and, through him, the Committee on Canons, whether they are willing to accept the suggestion I threw out, that the title of this canon be amended so as to read: "Of the use of the Book of Common Prayer on occasions of public worship." I am confident that if gentlemen will reflect on that, they will see that it will relieve the Canon of an ambiguity in the proviso, which has made all this trouble.

Mr. SMITH, of South Carolina. Those words are in the first line of the canon.

The Rev. Mr. HUNTINGTON, of Massachusetts. But they are not in this proviso, and that has made all the trouble. The language there is ambiguous and seems to contemplate other occasions than those of public worship.

The PRESIDENT. The question is on the motion of the gentleman from Illinois (Mr. Judd).

The Rev. Mr. HUNTINGTON, of Massachusetts. I should like an answer to my question.

The Rev. Mr. ROGERS, of Texas. If we are to take the question in two minutes, although I agree with the Canon, I shall vote against it, because, for information, I desire to offer an amendment.

The PRESIDENT. The question is on the motion to take the question in two minutes from this time, unless it be sooner taken.

Mr. SMITH, of South Carolina. I object to that, because it cuts off all opportunity to offer amendments.

The PRESIDENT. I only consider it as applying to the present amendment.

The motion was not agreed to.

The PRESIDENT. The question now is on the amendment of the gentleman from Pittsburgh (the Rev. Mr. Spaulding).

The amendment was rejected.

The Rev. Mr. ROGERS, of Texas. I desire to offer this amendment, to come in after the Canon as it now reads:

Provided, That in the administration of the Holy Sacraments, no deviation from the prescribed forms therefor shall be allowed.

I do not wish, unless this amendment is contested, to give my reasons for it, because they must strike every one; if it is contested, I desire to be heard.

The amendment was rejected.

The Rev. Mr. BUEL, of Albany. I rise to offer an amendment which will be regarded, I know, as a radical amendment, to strike out all after the word "provided."

I am surprised at the impatience manifested to take the question on this most important Canon. It is a matter of the gravest importance and we ought to look at it upon all sides and in all its bearings.

What is the object of this Canon? Does the Church need such a Canon? It is not designed to restrain the extreme men on the one side, who are wantonly mu-

tilating the service; and it does not restrain the extreme men on the other side who, not by adding one word to the services of the Church and the services of the Prayer Book, but by adding novel ceremonies, significant gestures, and perhaps still more significant pauses and silences in the service, all drawn from medieval service-books, are materially changing the doctrinal character of the service of our Church? I am sure it is not designed to reach these men. It cannot reach them.

For whom then is it designed? It must be designed to regulate the conduct of the great body of the loyal clergy of the Church. Do we need such a Canon? We have heretofore been left to the law of the Prayer Book; and it seems to me, I say it with the utmost respect and deference, that the admirable men who compose our Committee on Canons have forgotten the law of the Prayer Book, which is higher than any Canon; which is higher than this General Convention; to which this General Convention is bound to bow, and which this General Convention may not touch except in the careful constitutional way provided by the Constitution of our Church.

We have been left to the law of the Prayer Book and to the old Canons, and to the restraints of our ordination vows, which subject us in all matters doubtful to the godly guidance and direction of our Bishops. We have been left to the common law of the Church. We have been left to the law of common sense, which has been so well set forth by my brother from Wisconsin. The Church requires us to do nothing that we cannot do. When the exigencies of the case demanded it, when necessity demanded it, or when the use of the Prayer Book in the prescribed order would defeat the very purpose of the Church in giving us the Prayer Book, we have all felt at liberty, under the guidance of our Bishops, or without the guidance of our Bishops, if it was a sudden emergency, to adapt the Prayer Book to the occasion; and I think the Church has not suffered by the exercise of this liberty. It is far safer and better to leave the clergy to the restraint of their ordination vows, to leave them to the law of the Prayer Book and the guidance of their Bishops, to leave them under the restraints of the direction and guidance of an enlightened conscience, to apply these laws and rules according to their enlightened conscience and judgment, than it is to trammel them with the restrictions that are made in this Canon. It is far better, as it seems to me, than to have a more specific Canon.

Now, what is the operation of this Canon? The principal design of all that follows the word "provided" is, in the first place, to change the character of the ordinary week-day services of the Church. That will be its first and immediate effect. It authorizes us to shorten and materially to change the ordinary week-day services of the Church. Some of the brethren will begin, I know (for I know from what they have told me in conversation, what their judgment on this point is), by striking off all that part of the "service" that precedes the Lord's Prayer, thereby, at once changing the character of the Church's morning and evening prayers, the one great excellency of which we have always understood to be that it requires us, when we go into the house of God, when we fall down before the mercy-seat, to go there lowly and humbly, as unworthy sinners, to go as the angels go before the throne in heaven, veiling their faces. That will be one change, which will be made far and wide, throughout the Church.

Another will be, undoubtedly, to strike off one of the Lessons of the Church, thereby robbing the service of the Church of one of its chief excellencies, in which we have always rejoiced and gloried, that it made much of the Word of God, that it freely dispensed the Word of God in all its services, thereby seriously impairing the service of the Church in this particular. Amid the scepticism of this age, which boldly defies the authority and inspiration of the Old-Testament-Scripture, shall the Church omit anything which impresses and inculcates on the hearts of her children, a conviction of the perfect Divine authority and full inspiration of that Word of God, and also impresses upon them and shows that it is in perfect harmony with the New-Testament-Scripture?

Another design of the Canon evidently is to extend more liberty to our missionaries. New, sir, we have heard the statement of the reverend delegate from Wisconsin, and we heard also the declaration of the Bishop of Montana, on that platform a few evenings ago, that in the wide field to which we have sent him, the harvest field which this Church is attempting to cultivate, everywhere in the wilds of his great jurisdiction, whether it were in churches, or in barns, in school houses, in saloons, in taverns, or in the open air, he invariably used the Book of Common Prayer, following entirely its prescribed order, and that he had never heard the first complaint, either against its doctrinal character or against the length of the service; that he had found in all his experience that the service required no shortening. That was his testimony.

Now, sir, I fear that if we pass this Canon, one of its immediate effects (and I think it will be a disastrous effect) will be, that it will almost put it out of the power of the clergy of the Church in most of our parishes, except on Sundays and the mornings of special holidays, to use the Book of Common Prayer according to the prescribed order. Our people will learn of this Canon, and we know we live in a frivolous and worldly age, when people are impatient of all the restraints of religion, when they are impatient of the restraints of the Church in our services, and they will be clamoring for a shortened and mutilated service, and it will be out of our power to use the service of the Book of Common Prayer according to its prescribed order, even in places (and there are many such) where there is no reason for shortening it, where the use of the full service tends most to godly edification and the comfort of the children of God.

I have but one more objection against all that part of the Canon which follows the word "provided," that it is right in the face of the Prayer Book. Open your Prayer Book, and you find the order for Daily Morning Prayer, and in that order is carefully prescribed that "the minister shall begin with these sentences:"—

Mr. SHEFFEY, of Virginia. Will the gentleman allow me to submit a motion to extend the session for to-day so that we may dispose of this question?

The Rev. Mr. BUEL, of Albany. I will yield for that purpose.

Mr. SHEFFEY, of Virginia. I move that the rule which requires an adjournment at 3 o'clock be suspended for this day.

The motion was agreed to.

The Rev. Mr. BUEL, of Albany. My most serious objection to this Canon is that it is utterly irreconcilable with the Prayer Book. In the order for Daily Morning and Evening Prayer, we are told, "Then shall the minister say." Then comes a rubric; "then shall the minister say." Then shall the minister say the Lord's Prayer, and we come at last to the Psalter, Then shall the minister do this. We come then to the first lesson; then shall the minister do this, and then follows the Anthem, the *Te Deum*, or the alternate anthem; and the law of the Prayer Book is, "Then shall the minister read a chapter of the New Testament." The whole order is prescribed, and we are in the most intelligent manner commanded to proceed, step by step, through this prescribed order; and now comes in a Canon telling us that during the greater part of the year we may disregard all these rubrics; we need not do this or that as the Prayer Book commands us to do. I think we shall make a fatal mistake if we pass the Canon with this provision containing all that follows the word "provided." These days of self-will and lawlessness are not the time in which we should cut that Prayer Book, either by mutilating it or casting the slightest shade of doubt upon a single word in it, or by overriding its laws by a Canon.

The Rev. Dr. MORSELL, of Delaware. I should not have said a word if the session had not been extended. I suppose it was extended with a view of continuing this debate. I shall not make any extended remarks, but I have something to say.

I congratulate the Committee on Canons upon the wise, and suitable, and well adapted Canon that they have brought forward for our consideration, and I hope that it will be passed. I am glad that all amendments have been voted down, for, according to my conception, they have been no improvement. No amendment has been offered which would in any way improve the Canon.

A little personal history may possibly have some effect upon the minds of the gentlemen of this Convention. There was a time in my life when I was called not only a Low Churchman, but a loose one. [Laughter.] There was a time when I felt myself at liberty to omit portions of the Prayer Book; but, sir, that time has passed and passed forever. Not that I have become in any sense a High Churchman—I beg to be understood—high only in the sense of constantly teaching a love of the Prayer Book itself, and its eminent adaptation to promote our spiritual good. When I first commenced I held prayer meetings without the Prayer Book; I conducted services in which I shortened the services; but, twenty eight years in the ministry have convinced me that my best means of personal edification, my best means of advancing the interest of the Church, has been by the use of the entire service. I recollect a few years ago, when

in the city of Washington, many of my brethren were in the habit of using the Litany and the Ante-Communion service on Communion days, according to the liberty allowed by the House of Bishops. I thought I would try it. I thought it would make the service shorter and would be better adapted to my purposes. I endeavored to use it, but when I came to preach the Gospel, when I came to administer the Lord's Supper, I found that I had not the preparation which our grand and glorious services give us, and though a Low Churchman, I never availed myself of the liberty given to us, and from that day to this I have never done it.

Let me say another thing. I am doing some missionary work in the Diocese of Delaware. I preach three times on Sunday without any assistance, and I use the full service of our Church. I say therefore that the provision of this Canon for the use of the services on Sunday is exactly what it ought to be. I believe we can go to persons who have never used our service and we can best convert them to us by using the whole of it.

But, sir, with regard to the other part, for services upon week days, I believe there is a special fitness in the arrangement here made, especially if I come to have prayer meetings legalized, especially if I wish to have an abbreviated Lenten service. The Lenten service is one of the glorious features of our Church, and the whole heart of the Church is wedded to it. I know that I would not part with that special opportunity, that grand protracted season of devotion, for any other work in whatever language, the great protracted meeting of the Episcopal Church for six weeks.

But let me call your attention to the fact that during the season of Lent there are chapters in the Old Testament that we ought to have the right to omit. They are not suitable for edification; they are not suitable to be read in popular assemblies, though they may be very proper for private worship. I have tried to read them; I have tried to carry out the regulations of the Church for those services; but it was a little more than I could do. I wish now to have the privilege, and I wish to have the law on my side, to omit them. And, sir, on week days, and during the season of Lent, many persons can attend a short service who cannot attend a long one, and many persons will attend a short service who will not attend a long one.

As I look at this Canon, I remember what Dr. Haight said yesterday, that this was the day for the breaking off of shackles. Sir, this is the year of jubilee; this is the grand year of emancipation, and I congratulate this House that they have recognized the wisdom of the old evangelical men of our land in abbreviating our services. As I have heard gentlemen speak to-day, I have been carried back twenty-eight years to my own days at the Theological Seminary: and these gentlemen are representatives from Nashotah and the General Theological Seminary. I congratulate the Church upon the progress they have made. They are about to legalize things for which they would have

tried us in days that are past. I wish it to be distinctly understood that I am now in favor of the whole services on Sundays, of the whole service on week days, if I can use it; but I am in favor of liberty being legalized and protected by law. I have no idea that if I omit a chapter from the Old Testament which I cannot read, that I am to be left to the tender mercies of strict constructionists, who will admonish me first, suspend me next, and depose me at last. Is this liberty? Is this liberty in the name of law?

The Rev. Dr. LYMAN, of California. Mr. President, I am perfectly satisfied with the old Canon. I want no change. I think we have heard enough to-day to show us that there will be great difficulties arising out of this Canon if it be enacted, I therefore move to lay the whole subject on the table.

The Rev. Dr. HAIGHT, of New York. I ask my brother to withdraw that motion for a moment to give me a chance to say one word. It will be a very hard measure to the Committee on Canons, unless the question is taken now fairly and squarely, to shut us off from any explanations in regard to our work by this motion to lay on the table.

The Rev. Dr. LYMAN, of California. I withdraw the motion to allow the gentleman to speak.

The Rev. Dr. HAIGHT, of New York. I do not desire to speak now.

The Rev. Mr. GREGG, of Illinois. I move that we now adjourn. It is evident that there is to be further discussion of this subject, and the House has already thinned out very much.

The motion was not agreed to.

Mr. WITHERS, of Virginia. I now move that the main question be put in five minutes. It is manifest that the temper of the House is opposed to amendments. Amendments of all sorts and in all directions have been offered, and I think nothing new is likely to be said in the discussion of this subject.

The PRESIDENT. I do not think that motion is in order. You can make a motion to take the pending question in five minutes or two minutes.

Mr. WITHERS, of Virginia. I will put the motion in that form, and afterward renew it on the main question.

The Rev. Mr. ROGERS, of Texas. I desire to be heard for two minutes. I hope this Canon will not pass under existing circumstances, and for two reasons.

Mr. WITHERS, of Virginia. I rise to a question of order. A motion has been made that the question shall be put on the pending amendment in two minutes, and that motion has not been voted upon, and the gentleman is debating the merits of the Canon.

The PRESIDENT. He cannot do that on this motion.

The Rev. Mr. ROGERS, of Texas. The motion now is that the question be taken in two minutes, and I shall occupy those two minutes unless you will hear me. On that motion I have a right to

speak, and I will speak unless you will hear what I have to say material to this Church. I ask the gentleman if he will withdraw his motion long enough to allow me to speak two minutes on the general question? If he will not, I will speak upon this other motion.

Mr. WITHERS, of Virginia. I cannot, because this motion is merely in reference to the pending amendment, and if you wish to speak on the general question, you can do so afterward.

Mr. CARTER, of Maryland. I make the point of order that the motion of the lay deputy from Virginia is out of order. There is no such proceeding known in any parliamentary body, except by special rule, of cutting off debate by making a motion to take the vote at any particular time. It is nothing but the previous question in another guise, and our Constitution says it shall not be done, and it is an unparliamentary motion unheard of in any parliamentary body on the face of the earth except in Congress, where it is done by special rule. We have no such special rule, and the Chair has no right to entertain the motion.

The PRESIDENT. I decide the question of order against you.

Mr. CARTER, of Maryland. Then I appeal from the decision of the Chair; and I should like any gentleman within the sound of my voice to get up and show, from any manual or authority that that is a parliamentary motion. If any gentleman of acknowledged experience will get up and say so, I will withdraw the appeal.

Mr. WITHERS, of Virginia. I will state, for the benefit of the gentleman, that there is no parliamentary book which controls this body. We have merely a provision which prohibits the restriction of debate, but we certainly are not restricting the debate on this proposition by this motion. It is perfectly in the power of this House to fix a precise time or hour when they shall have any question put. It has been done in the history of this body for years. It has been done several times at this very session.

Mr. WHITTLE, of Georgia. Allow me to read two lines from the Constitution

"In all business of the Convention, freedom of debate shall be allowed"

The PRESIDENT. I wish to correct a misapprehension which has been mentioned here several times, that the previous question is unconstitutional. The Constitution has nothing to do with the previous question. The previous question is simply not one of the rules of this House, has not been so adopted; and it was therefore that I objected to the form in which the motion was first made by the gentleman from Virginia, which would have been virtually the previous question, doing away with all amendments; but I rule as in order his present motion to take the question on the pending amendment in two minutes. The gentleman from Maryland appeals from the decision of the Chair, and the question will now be taken on that appeal.

Mr. DEROSSET, of North Carolina. Whether this be a parliamentary motion or not, or whether the Chair so decides or not, I submit it is contrary to one of the rules of this House, and I think I can prove it if the House will allow me to read from the 12th rule: "When a question is under consideration, no motion shall be received unless it be to lay it on the table, to postpone it to a certain time, to postpone it indefinitely,

to commit it, to amend it, or to divide it." There is no motion provided for taking the question at a stated time.

The PRESIDENT. That had been my previous understanding, but under the instruction of the gentleman from Virginia (Mr. Sheffey), who has had more experience in these matters than any of us, the House decided the other way, that these motions might be put for the purpose of facilitating the action of the House upon the pending question. The gentleman from Maryland appeals from the decision of the Chair, and the question now is, shall the decision of the Chair stand as the judgment of the House?

The decision was sustained.

The PRESIDENT. The question now is on the motion of the gentleman from Virginia, that the question be taken on the pending amendment in two minutes.

The motion was agreed to.

The Rev. Dr McNAMARA, of Nebraska. I have a very brief amendment, instead of "all" to insert "ordinary" so as to read: "On ordinary occasions of public worship." I have not a very tender conscience; but I have some conscience (laughter); and now I propose to say "on ordinary occasions of public worship," and that will enable us to understand it.

Mr. WITHERS, of Virginia. Is that offered as an amendment to the amendment?

The Rev. Dr. McNAMARA, of Nebraska. No, sir.

Mr. WITHERS, of Virginia. Then it is not in order.

The PRESIDENT. The pending amendment is to strike out the whole proviso, the amendment offered by the gentleman from Albany.

The amendment was rejected.

The Rev. Dr. McNAMARA, of Nebraska. I move now my amendment, to strike out the word "all" and insert "ordinary," so as to read, "on ordinary occasions of public worship."

The amendment was rejected.

Mr. SMITH, of South Carolina. I feel it my duty to offer this amendment, that the words "except on emergencies," be stricken out. I cannot imagine any emergency, which ought not to have the approbation of the Bishop.

The amendment was rejected.

The Rev. Mr. HUNTINGTON, of Massachusetts. I move that the title of the proposed Canon be amended, so as to read, "of the use of the Book of Common Prayer, on occasions of public worship."

The amendment was rejected.

The PRESIDENT. The question recurs on the adoption of the Canon.

The Rev. Dr. TUCKER, of Albany. I ask, do these words of the proposed Canon, "and this rule shall be understood to prohibit all additions to, and omissions from, the prescribed order of said Book," apply to what are commonly known as anthems, pieces of music adapted to words of the Holy Scripture, and words of the Book of Common Prayer? I should like an answer from some member of the Committee on Canons. I am aware that we have the declaration of the House of Bishops in the year 1814, in answer to a question from the House of Clerical and Lay Deputies, on this very subject, and in that declaration we have the authority or recommendation of the House of Bishops for the singing of such anthems; but it seems to me that a

literal construction of these words of the Canon would preclude their use, and thereby would affect the usage of nearly all the churches represented in this House

The Rev. Dr. HAIGHT, of New York. If I may be allowed to answer, I will say that that question did not come up distinctly before the Committee on Canons. I can only answer for myself that I have not the slightest idea that this Canon overrides that declaration of the House of Bishops, or interferes, in the slightest degree, with what is known as the ordinary use of anthems, sung in public worship, from the Holy Scriptures.

Mr. TOLMAN, of Pittsburgh. I have an amendment which, I think, will meet all the difficulties. It is to strike out all after the word "Provided" and insert:

That in all cases where the minister may deem it expedient to abridge the service, the matter shall be referred to the Ordinary, and no changes shall be made without the written consent of the Bishop.

The amendment was rejected.

The Rev. Dr. CADY, of New York. I move that the question be taken on the Canon reported by the committee in five minutes.

The motion was agreed to.

The Rev. Dr. HALL, of Long Island. I suggest that the Committee be allowed those five minutes to explain the Canon. It is proper that the Committee should close the debate.

The Rev. Mr. ROGERS, of Texas. I believe I will take those two minutes now, or half of them. It is possible that if this Canon is passed, in the administration of Holy Baptism any words may be left out that any man claiming to call himself a missionary or that shall call his church a Missionary church, can get the permission of his Bishop to leave out. If you desire to open it to that class of men, open it. The old Canon is well enough. Let us leave that as it stands and shut this door of license and liberty.

The Rev. Dr. PADDOCK, of Long Island. I beg leave to say that it is not so understood, by any member of the Committee on Canons and I hope therefore, its mere assertion at the last moment will not have effect unless it is proven.

Mr. SMITH, of South Carolina. They will not live to interpret it always.

The Rev. Dr. SCHENCK, of Long Island. There is one matter I should like to get some information on before the question is finally put, and I have waited until this moment to suggest it, and I think it ought to be distinctly stated before the question is finally put for the understanding of the House touching the meaning of "public worship" which seems to have been the fruitful source of so many amendments. I have no idea of offering any amendment; but it strikes me that if the Committee on Canons had inserted a few words here, they would have saved us very much of difficulty. I would have it read:

"Every minister shall, on all occasions of public worship *prescribed in the Book of Common Prayer*." The idea is, that the Prayer Book shall be its own interpreter in this matter of public worship, and that we are to construe the words "public worship" as meaning the occasions of worship which are prescribed in the Book of Common Prayer. I

think if we take that interpretation of the Canon, without offering any amendment, and if that is our idea of public worship, that it means those occasions for which the Church has taken special order, and for which we have services prescribed, it will settle a great many difficulties that have arisen in the minds of members.

I do not propose it as an amendment, but I should be very glad if some member of the Committee on Canons would state whether that is a violent construction, or whether the Church might, in passing this Canon (as I hope we shall this day by a very unanimous voice, for I am very much in favor of it), put that construction on it.

The Rev. Dr. HAIGHT, of New York. I suppose everybody understands that by "occasions of public worship," are meant those occasions when the church is open, and the congregation assemble for the purpose of offering Morning or Evening Prayer, on Sundays or other days. That I understand to be an occasion of public worship. We never dreamt that there could be the slightest misconception as to what was meant by "occasions of public worship" in this Church.

The Rev. Dr. SCHENCK, of Long Island. I beg pardon. There are so many other occasions.

The Rev. Dr. HAIGHT, of New York. What others? I do not know what they are.

The Rev. Dr. SCHENCK, of Long Island. Missionary meetings.

The Rev. Dr. HAIGHT, of New York. I hold that a missionary meeting is not an "occasion of public worship," and hence the committee were careful to strike out those words, which have been the fruitful occasion of so much misconception, of so much sham, and, I am afraid, of so much tampering with the conscience, "Before all sermons, lectures." We struck those words out, because what are "sermons," we all understand; but what are "lectures"? If I wish to expound the Holy Scriptures to my people, wish to deliver a lecture on subjects growing out of the scepticism of the day, and I call my people together for the purpose of receiving that lecture, that is not an "occasion of public worship," and yet, according to the old Canon, those of us who felt bound by the law of the Church felt ourselves constrained to say full Evening Prayer. How was it got around? I will take occasion to speak of the late Rev. Dr. Hawks, of New York, for whom we all have the profoundest respect, who was himself a very law-loving and law-abiding man. He, as you all know, was a most eloquent divine and a most able expounder of God's truth. He wished, week by week, to spend one hour with his people in expounding the Holy Scripture and meeting all these difficulties. He opened his church for that purpose, and three, four, and five hundred people would come together. When we said, "Doctor, how is this? The Canon says, 'Before all sermons and lectures, you shall say evening prayer.'" "Well," said he, "this is not an occasion of public worship, this is not a lecture, it is a Bible class." [Laughter.] Of course, when a man of that standing takes that ground, all you

can say is, "I wish that the occasion of such a subterfuge might be removed."

The Rev. Mr. GALLEHER, of Louisiana. Mr. President—

The PRESIDENT. The time allowed by the House for debate has expired.

The Rev. Mr. GALLEHER, of Louisiana. I wish to ask the Committee on Canons if they give what they were invited to do, an explanation of this Canon, to please devote a portion of their time to the objection which was urged against it by the reverend deputy from Albany. It is an objection which is lodged in my mind, and I believe in that of many others, that this Canon as proposed by the committee now rests under the imputation of unconstitutionality.

The Rev. Dr. HAIGHT, of New York. I would say in reply to that, that you have the decision of thirteen members of this House, six of whom are distinguished laymen, distinguished for their learning, their piety, their Churchmanship, and their knowledge of law, and they see no such difficulty whatever.

The Rev. Mr. BUEL, of Albany. I ask the reverend gentleman—

Several DEPUTIES. Order. Order.

The Rev. Mr. BUEL, of Albany. I wish to ask my honored friend—

The Rev. Dr. UFFORD, of Ohio. The time has arrived for taking the question.

The Rev. Mr. BUEL, of Albany. In order that I may be guided in my vote, I ask him how he reconciles the provision of this Canon releasing us from the use of the prescribed order for a great part of the time, most of the year, with the express rubrics of the order for Morning and Evening Prayer, "then shall the minister do this," and then shall the minister do that.

The Rev. Dr. HAIGHT, of New York. I answer I see no inconsistency whatever between the two.

The PRESIDENT. The question is on the passage of the Canon as reported by the Committee.

The Rev. Dr. LEWIN, of Maryland. I ask for a vote by dioceses and orders on behalf of the deputation from Maryland.

The PRESIDENT. The vote on the adoption of the canon will be taken by dioceses and orders.

The vote being taken resulted as follows:

Clergy. 40 dioceses voting; 30 dioceses, *aye*; 6 dioceses, *nay*; 4 dioceses divided.

Laiety. 36 dioceses voting; 30 dioceses, *aye*; 6 dioceses, *nay*.

So the resolution adopting the proposed Canon was agreed to.

RULES OF ORDER.

Mr. SHEFFEY, of Virginia. I ask unanimous consent to make a report that has been long delayed, and owing to pressure of business it has been impossible heretofore to introduce, a report on the subject of the rules. I move that it be printed for the use of members by to-morrow morning.

The motion to print was agreed to.

EFFECT OF DIVIDED VOTES.

Mr. JUDD, of Illinois. There was a motion made sometime ago, by the Committee on Canons, upon a

proposition introduced by me, to be adopted as rule 21. I then stated, that on a future occasion, I should desire to be heard upon the matter, and I was requested by some gentleman to give 24 hours' notice before speaking upon it. I have been trying ever since to get the floor, to give that notice; but it seems to be about as hard to get the floor here, as it is for a camel to pass through the eye of a needle. I now give notice that to-morrow, or as soon thereafter as I can be heard, I shall call up the report, and ask to be heard upon it.

Mr. STEVENSON, of Kentucky. I move that the House do now adjourn.

The motion was agreed to, and the House adjourned.

FOURTEENTH DAY.

THURSDAY, October 19, 1871.

Morning Prayer was said by the Rev. Chas. B. Dana, D.D., a deputy from the Diocese of Mississippi, assisted by the Rev. George D. Gillespie, a deputy from the Diocese of Michigan; and the service was concluded by the Right Rev. John Barrett Kerfoot, D.D., LL.D., Bishop of Pittsburgh.

The Journal of yesterday's proceedings was read and approved.

CHURCHES IN FOREIGN COUNTRIES.

A message (No. 32) from the House of Bishops announced that that House had adopted the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That Section 3, Canon 5, Title III., "On the organization of churches or congregations in foreign countries," be amended, as follows:

Paragraph 4.—After the word "forwarded," in the sixth line, to read as follows:

"To the Secretary of the House of Clerical and Lay Deputies of the General Convention, who shall, thereupon, place its name on the list of foreign churches under the direction of the General Convention, and also a copy of the same shall be forwarded to, and filed by, the Registrar of the Church; and such church or congregation shall thereupon become subject to and placed under the Episcopal government and jurisdiction of such Presiding Bishop, for the time being."

Paragraph 5 to read as follows:

Paragraph 5.—"Such Presiding Bishop may, from time to time, by a written commission under his own signature and seal, assign to any other Bishop of this Church having jurisdiction in the United States, the full Episcopal charge of such churches or congregations and the clergymen officiating therein, for such period of time as he may deem expedient, *provided* that such commission shall not extend to a period longer than three years, and shall then cease and determine, unless renewed by the Presiding Bishop."

The following to be substituted for Paragraph 6:

Paragraph 6.—"To aid the Presiding Bishop or the Bishop in charge of these foreign churches, in administering the affairs of the same, and in settling such questions as may by reason of their peculiar situation arise, there shall be a Standing Committee, to consist of communicants of this Church, residing in the United States, who shall be chosen and elected as follows: each church or congregation thus in union with the General Convention, shall have the right to nominate to the Presiding Bishop, one person, and the General Convention shall nominate four persons, who shall hold office until the General Convention next ensuing,

and, together, they shall constitute the said Standing Committee, of which the Bishop in charge of said foreign churches shall be the chairman. Said committee shall have power to fill all vacancies in the same.

"This Standing Committee shall be a council of advice to the Bishop. They shall be summoned on the requisition of the Bishop, whenever he shall desire their advice. And they may meet of their own accord, and agreeably to their own rules, when they may be disposed to advise the Bishop."

The following to be added and numbered as paragraph seven:

Paragraph 7.—"In case a clergyman in charge of either of these congregations in Foreign lands shall be charged with either of the punishable offenses, as specified in section 1, Canon 2, Title II., of the Digest, it shall be the duty of the Bishop in charge of such churches to summon the Standing Committee, above provided for, and to see that an inquiry be instituted as to the truth of such public charges, and should there be reasonable grounds for believing them to be true, the Bishop in charge and the Standing Committee, shall appoint a Commission, consisting of three clergymen, whose duty it shall be to obtain all the evidence in the case, from the parties interested, and, who shall, if possible, hold their meeting in the place where the accused resides, giving to the accused all rights under the Canons of the Protestant Episcopal Church, which can be exercised in a foreign land. The judgment of said Commission, solemnly made and subscribed to, shall then be sent to the Bishop in charge, and to the Presiding Bishop, and, if approved by them, shall be carried into effect; *provided*, that no such Commission shall recommend any punitive sentence, other than admonition or suspension from his office as minister of said congregation.

"Should the result of the inquiry of the afore-mentioned Commission reveal evidence tending to show that said clergyman deserves a severer discipline, then all the documents in the case shall be placed in the hands of the Presiding Bishop, who shall then proceed against said clergyman as far as possible, according to the Canon of Discipline under Title II. of the Digest, and the Diocesan Canons of the diocese of the said Presiding Bishop."

The following to be added, and numbered Paragraph 8:

"8. If there be but one such church or congregation within the limits of any city, said city shall be deemed the parochial cure of the minister having charge of the same, and no new church or congregation shall be established therein, unless with the consent of the Bishop in charge, and of the Standing Committee herein appointed. Nor shall any church or congregation be organized in any foreign city, under the provisions of this Canon, unless with the approval of the Bishop in charge and the Standing Committee herein provided for."

The following to be added, and numbered Paragraph 9:

"9. In case of differences between the minister and his congregation, the Bishop in charge shall, with the Standing Committee, duly examine the same, and said Bishop and Standing Committee shall have full power to settle, and, if possible, adjust such differences upon the recognized principles of Ecclesiastical Law, as laid down in the Canon Law of the Protestant Episcopal Church."

The following to be added, and numbered Paragraph 10:

"10. No clergyman shall hereafter be allowed to take charge of any such church or congregation in foreign lands, unless and until he shall be approved of, and be licensed by the Presiding Bishop, and shall have been duly transferred to his jurisdiction by the letter dimissory provided for in Canon 12, Section 7, Title I., of the Digest."

Resolved, That Paragraph 6, of Section 3, Canon 5, Title III., be hereby repealed.

On motion of the Rev. Dr. Perry, of Western New York, message No. 32 from the House of Bishops was referred to the Committee on Canons.

EXPEDITION OF BUSINESS.

A message (No. 33), from the House of Bishops announced that that House had adopted the following resolution:

Resolved, That a Joint Committee, consisting of the members of the Committee on Canons of each House, be appointed to consider, from time to time, the business pending in both Houses, and to report to either House such suggestions as they may recommend for expediting the business of the Convention.

And that it had appointed as the committee, under the above resolution, on the part of that House.

The Bishop of Connecticut,
The Bishop of New York, and
The Bishop of Pennsylvania

Mr. FAIRBANKS, of Tennessee. I move that we concur in message No. 33 from the House of Bishops, appointing a committee to expedite the business of the Convention to act with their committee.

Mr. SHEFFEY, of Virginia. In that connection I will state that the committee on the part of this House, the chairman of which is Dr. Haight, recommended the same resolutions which the House of Bishops have agreed to, and I presume, therefore, it will be proper to concur in the message of the House of Bishops and lay the report from that committee on the table.

The PRESIDENT. The question now is on concurring in message No. 33.

The motion was agreed to.

STANDARD PRAYER BOOK.

A message (No. 34) from the House of Bishops announced that that House had passed the following resolutions:

Resolved (The House of Clerical and Lay Deputies concurring), That the edition of the "Book of Common Prayer, Administration of the Sacraments, and other Rites and Ceremonies of the Church, Articles of Religion, and the Form and Manner of making, Ordaining and Consecrating Bishops, Priests, and Deacons," laid before this Convention at its present session, and published by the New York Bible and Common Prayer Book Society, be, and the same is hereby, set forth by this Convention as the Standard Edition.

2. *Resolved* (the House of Clerical and Lay Deputies concurring), That section 2 of Canon 17 of Title I., is hereby amended so as to read as follows:

"§ II. [1] The octavo edition of the Book of Common Prayer, Administration of the Sacraments, and other Rites and Ceremonies of the Church, Articles of Religion, and the Form and Manner of making, ordaining, and consecrating Bishops, Priests, and Deacons," set forth by the General Convention, in the year of our Lord, 1871, and published by the New York Bible and Common Prayer Book Society, is hereby declared to be the standard edition.

"[2.] The stereotype plates of the said edition shall be in the custody of a Presbyter, appointed by the General Convention, and no alteration, correction, or emendation of any sort in the said plates shall be made, except under the direction of the said custodian, acting with the advice and consent of a joint committee appointed by the General Convention, consisting of two Bishops and two Presbyters; and all alterations, corrections, and emendations thus made shall be reported by the said custodian, in writing, to the next General Convention, and entered upon the Journal of the House of Deputies."

3. *Resolved* (the House of Clerical and Lay Deputies concurring), That the accompanying table, embracing an additional cycle for the years 1881 to 1899 inclusive, which was postponed by the last General Convention, to be inserted in the Book of Common Prayer, in the place of the cycle for the years 1843 to 1861, inclusive, and by a resolution of the said Convention, made known to the Convention of every diocese, be, and the same is hereby, adopted at this General Convention.

4. *Resolved* (the House of Clerical and Lay Deputies concurring), That the Joint Committee on the Standard Prayer Book be continued in charge of the subject of a Table of Lessons for week days in the season of Lent, referred to them at the last General Convention.

The Rev. Dr. HUBBARD, of New Hampshire. I move that we concur in message No. 34.

The Rev. Dr. PERRY, of Western New York. Ought not that to be referred to a committee?

The Rev. Dr. HUBBARD, of New Hampshire. I do not see the necessity of referring it. However, if the House prefer to refer it to the Committee on Canons, very well.

The Rev. Dr. PERRY, of Western New York. It is accepting a standard which we have not yet seen. I move the reference of the message to the Committee on the Prayer Book.

The motion to refer was agreed to.

RELIEF OF DISABLED CLERGYMEN.

A message (No. 35) from the House of Bishops announced that that House had adopted the following report and accompanying resolutions:

The select committee of five, appointed to inquire whether any legislation providing for the relief of disabled clergymen be practicable and expedient, respectfully report:

That the duty and importance of providing measures of relief for disabled clergymen, and for the widows and orphans of deceased clergymen, have been admitted by the General Convention on repeated occasions. In pursuance of this action, trustees were appointed for a fund of this nature, and a charter obtained from the Legislature of the State of New York, of a very liberal character. Through various causes, referred to in the reports of said trustees, made, from time to time, to the General Convention, their efforts to create such a fund have failed of success. Some of the obstacles by which they have been baffled no longer exist, and it seems to your committee that the time has now arrived for an energetic effort to give this fund substantial existence, and to render effectual the beneficence of the Church toward a most deserving class of her members. No claim should awake a readier response from the warm heart of

the Church, than the destitution of her worn-out servants, in the time of sickness and old age, and of the families of those whose lives have been spent in her service.

Your committee beg leave to submit the following resolutions:

Resolved (the House of Clerical and Lay Deputies concurring), That the Fund for the Relief of the Widows and Orphans of Deceased Clergymen, and of Aged, Infirm, and Disabled Clergymen, be earnestly commended to the generous sympathies of our whole Communion, and that the Trustees of said Fund are hereby requested to adopt such measures as may seem to them necessary and expedient for reviving and extending interest throughout the Church in this important charity.

Resolved (the House of Clerical and Lay Deputies concurring), That the following named persons constitute the Board of Trustees for the three years ensuing, viz.:

The Bishop of Delaware,
The Bishop of Easton,
The Rev. Henry C. Potter, D.D.,
The Rev. Morgan Dix, S. T. D.,
Mr. James F. DePeyster,
Stephen P. Nash, Esq., and
Mr. Wm. Alexander Smith.

The Rev. Dr. PERRY, of Western New York. I move that we concur in message No. 35, creating a fund for disabled clergymen, and for the widows and orphans of deceased clergymen. It nominates two Bishops, two clergymen, and three laymen to form the trustees of a fund for this purpose and to create such a fund.

The motion was agreed to.

SUPPLEMENTARY DEPUTY.

The Rev. Mr. SHIPMAN, of Kentucky. I beg leave to report from the Committee on Elections that the certificate of election of Mr. William C. Kelso, as Supplementary Deputy from the Diocese of Pittsburgh, has been found in due form. Mr. Kelso takes the place of Mr. B. B. Vincent, to whom leave of absence was granted.

STATE OF THE CHURCH.

The Rev. Dr. VAN DEUSEN, of Central New York. The Committee on the State of the Church are prepared to make their report on the subject of the Organization of Christian Women, referred to them by a series of resolutions from the Diocese of Pittsburgh, and I have requested the member of the Committee, from New Jersey, to read the report. I do not see him in his seat at this moment, but I hope the House will allow the report to be presented as soon as he comes in.

CONSTITUTION OF MISSIONARY SOCIETY.

Mr. STARK, of Connecticut. The Committee on the Domestic and Foreign Missionary Society beg leave to recommend the adoption of the following amendments to the Constitution of the Domestic and Foreign Missionary Society:

Resolved (the House of Bishops concurring), That the first article of the Constitution of the Domestic and Foreign Missionary Society be amended by adding thereto the following words, viz.: "That the Board of Missions of the Protestant Episcopal Church in the United States of America, herewith provided for, may exercise, sub-

ject to the General Convention and within the limitations contained in this Constitution, and in any amendment hereafter made in the same, all the corporate powers of the institution aforesaid."

Resolved, (the House of Bishops concurring), that the 8th Article of the Constitution of the Domestic and Foreign Missionary Society be amended by inserting the following words after the words "*ex officio* members of the Board of Missions" in the 9th line of said article: "The Board may also appoint 8 persons, 4 of whom shall be clergymen and 4 of whom shall be laymen, who, together with the Bishop in whose diocese the Committee shall be located, shall be a Committee for Indian Missions."

Mr. President, these resolutions sufficiently, I think, state the purpose designed by the Committee in presenting the report, and I need not detain the House with any attempt on my part to explain them, I move the adoption of the first resolution.

The Rev. Mr. GILLESPIE, of Michigan. I wish the gentleman would state the proposed changes. We have not the Constitution before us and do not understand the changes.

Mr. STARK, of Connecticut. In the practical operations of the Board of Missions a difficulty is found to arise from the fact that the Constitution for the Domestic and Foreign Missionary Society declares that all the members of the Church constitute the Society, without naming any person or persons to exercise the corporate powers of the Society. The Board of Missions created by the Constitution have found a difficulty in their way in determining, under certain circumstances, who was authorized to execute certain papers that were necessary to be executed from time to time, no one having been declared by the Constitution as charged with that particular office in the Society. It is for the purpose of clothing the Board of Missions with the authority to exercise the corporate powers of the Domestic and Foreign Missionary Society that we propose this amendment. The Domestic and Foreign Missionary Society is an incorporation under the statutes of the State of New York, and possesses all the powers of a corporation in that State; and this proposed amendment confers the authority upon the Board of Missions to exercise those corporate powers so conferred by the legislature of the State of New York on the Domestic and Foreign Missionary Society.

Mr. RUGGLES, of New York. Does it specify the members of the Board of Missions who are to exercise that power; because that has been the difficulty?

Mr. STARK, of Connecticut. The Board of Missions as created by the Constitution of the society is composed of the Bishop of New York and the clergymen and laymen and other individuals who are elected by the Triennial Convention. The Bishop of New York is the chairman of the Domestic and Foreign Committee of the Board of Missions, and the committee regarded it as sufficient to authorize the Board of Missions to exercise these corporate powers. They have by-laws by which they can authorize certain individuals, or any individual, to do those merely ministerial acts that are necessary to be performed. There is no great consequence in it.

Mr. RUGGLES, of New York. The Board of Missions may have a legacy given to them. Before the executor can pay over the legacy he wants to ascertain the precise persons to whom to pay it. Those persons should be so well defined by our proceedings that there will be no difficulty. I fear this is too loose. Mr. Andrews, of Ohio, did prepare such an amendment specifying those persons.

Mr. STARK, of Connecticut. The suggestion made by Mr. Andrews was to the same effect. It was surrounded by certain difficulties; and the Committee on Domestic and Foreign Missions, after having looked into the matter, concluded that this amendment which they suggest covers precisely the same ground, by authorizing the Board of Missions to execute the corporate powers. It is, I may say, only defining what heretofore has not been sufficiently defined. With reference to the receiving of a legacy, I have simply to ask the learned gentleman from New York, how it happens that the Missionary Society in this Church has been for so many years, ever since its organization in 1820, receiving legacies if it now has come to the pass that it needs any amendment of its Constitution to enable it to receive legacies. There are certainly practical difficulties which seem to be in the way of the Secretary or other officer of the Board of Missions doing what to the Committee appears little offices that they may readily perform, and this simply declares who may exercise the corporate powers, and meets the difficulty which they suggest they encounter in the practical working of the society.

Mr. RUGGLES, of New York. But it does not meet the difficulty.

The PRESIDENT. I beg leave to suggest that the alteration of the Constitution is rather a serious matter to be entered upon by the House upon the first presentation of the report of a committee, and that, as evidently this is not very well understood, this report had better be passed over along with other reports from committees, to be taken up as soon as possible; and in the meantime it can be examined and considered by the House.

Mr. STARK, of Connecticut. At the suggestion of the Chair, with the consent of the House, who have possession of the resolution, I withdraw the motion for concurrence and move that the report be laid on the table for the present.

The PRESIDENT. The report is received and goes upon the table, at all events, without a motion.

Mr. Stark, of Connecticut, subsequently obtained leave to call up the report for action, on his statement that the objections of Mr. Ruggles were withdrawn at the instance of Mr. Andrews, of Ohio.

The resolutions reported were taken up *seriatim* and agreed to.

SUFFRAGAN BISHOPS.

Mr. SHEFFEY, of Virginia. I wish to present two reports from the Committee on Canons. One report on the subject of Suffragan Bishops, and the other the report of the Committee on Canons on the subject of marriage and divorce. I present them to simply lie on the table, subject to be called up hereafter.

The following report was read :

The Committee on Canons have had under consideration a proposed Canon on Suffragan Bishops to them referred, and being of opinion that it is inexpedient to create the office of Suffragan Bishop, the committee recommend the adoption of the following resolution :

Resolved, That the Committee be discharged from the further consideration of the subject.

By order of the committee,

WM. COOPER MEAD, D.D.,

Chairman.

The Rev. Dr. WATSON, of North Carolina. There is a minority report on that subject, which I will read :

The undersigned, minority of the Committee on Canons, respectfully report that, in their judgment, the institution of a Suffragan Episcopate would be entirely in accordance with the Constitution of this Church, the principles of her history and ancient arrangement, and would conduce to the more vigorous growth and working of the Church, and the greater efficiency of the Episcopate. We understand that the objections of the majority lie in part to the principle of the Suffragan Episcopate, and in part to the form of the Canon proposed. We therefore recommend that the subject be recommitted with instructions to the committee to draw up a Canon suitable to the institution of Suffragan Bishops, and the proper regulation of the whole matter.

ALFRED A. WATSON,
WILL. H. BATTLE.

In connection with that, I move to recommit the report on Suffragan Bishops, with instructions to bring in a suitable Canon on that subject. Is this the time or place for me to say anything on the subject ?

The PRESIDENT. Not now. The report will go on the calendar.

MARRIAGE AND DIVORCE.

The SECRETARY read the following report, which was submitted by Mr. Sheffey, of Virginia :

The Committee on Canons, to whom was referred the expediency of altering Canon 13 of Title II., on Marriage and Divorce, respectfully report that they have considered the subject referred to them, and are of opinion that no alteration in the Canon referred to them is expedient at this time. They therefore recommend the passage of the following resolution :

Resolved, That the Committee on Canons be discharged from the further consideration of Canon 13, Title II.

By order of the committee,

WM. COOPER MEAD, D.D.,

Chairman.

Mr. SHEFFEY, of Virginia. I do not ask for any action now.

ALIENATION OF CHURCH BUILDINGS.

The Rev. Dr. Paddock, of Long Island, submitted the following report :

The Committee on Canons, to whom was referred the resolution of the Rev. Dr. Paddock, of Long Island, touching the possible prevention of the alienation of church buildings to parties, congregations, or corporate bodies, no longer in accordance with the doctrine, discipline, or worship of the Protestant Episcopal Church, respectfully report,

That they recommend the adoption of the following additional clause to Section 1 of Canon 21 Title I., viz. :

"And also that such building and ground are secured by the terms of the devise, or deed, or subscription by which they are given, from the danger of alienation from those who profess and practise the doctrine, discipline, and worship of the Protestant Episcopal Church in the United States of America, except in the case provided for in Sections 2 and 3 of this Canon."

The Committee recommend the adoption of the following resolutions:

Resolved (the House of Bishops concurring), That Section 1 of Canon 21, be amended so as to read as follows:

"No church or chapel shall be consecrated until the Bishop shall have been sufficiently certified that the building and ground on which it is erected have been fully paid for and are free from lien or other encumbrance; and also that such building and ground are secured, by the terms of the devise or deed, or subscription by which they are given, from the danger of alienation from those who profess and practise the doctrine, discipline, and worship of the Protestant Episcopal Church in the United States of America, except in the case provided for in Sections 2 and 3 of this Canon."

Resolved (the House of Bishops concurring), That it be recommended to the several Diocesan Conventions to take such measures as may be necessary by State legislation or by recommending such forms of devise, or deed, or subscription as may secure the church buildings, grounds, and other property, real and personal, belonging to the Protestant Episcopal Church in the United States of America, to those only who profess and practise the doctrine, discipline, and worship of the said Church; and to protect such buildings, lots, and other property from the claims of those who abandon the doctrine, discipline, or worship of the said Church.

By order of the Committee,

WILLIAM COOPER MEAD, D.D.,

Chairman.

The report was laid on the table for the present.

GERMAN PRAYER BOOK.

The Rev. Dr. GOODWIN, of Pennsylvania. The Joint Committee on the Preparation of a Version of the Prayer Book in German present the following report:

The first Joint Committee on this subject was appointed in 1844. Another was appointed in 1862, of which the Right Rev. Dr. Burgess, late Bishop of Maine, was Chairman. Under his direction a version of the Prayer Book in German was pre-

pared by the Rev. Dr. Falk, who was a member of that committee on the part of the House of Deputies. Considerable progress was made before and during the Convention of 1865 in the revision of that version by the committee, who then reported progress and were continued. Soon after this, Bishop Burgess was removed to the scenes of that worship which knows no confusion or diversity of tongues; and in some unexplained way, the manuscript of Dr. Falk's version disappeared and was lost. That committee, thus bereaved, seems to have made no further progress. It presented no report in 1868, and therefore ceased to exist. It is due to the memory of the learned and exalted prelate who was its chairman, and who most zealously devoted himself to the discharge of the duty assigned him, to express our profound sense of the loss the Church has sustained in being no longer able to avail herself of a translation, made under the superintendence of one in whose eminently devotional spirit, exquisite taste, and ample learning, were found the highest qualifications for such a task.

The Joint Committee which now presents its report was appointed under the following resolution of the General Convention of 1868:

"*Resolved*, That a Joint Committee be appointed to prepare and report to the next General Convention a version of the Book of Common Prayer in the German language."

There were also referred to this Committee, by the House of Deputies, the following preamble and resolution, offered by the Rev. Dr. Pierce, now Bishop Pierce, then a deputy from Alabama, to wit:

WHEREAS, Our Saviour Christ, commanded His Disciples to go and preach His Gospel to all nations, and the first gift of the Holy Spirit was the gift of tongues, so that men of many nations did hear in their own tongues the wonderful works of God;

And Whereas, The Apostolic Churches, in whatever nation planted, framed their several Liturgies in the languages "understood" of the people;

And Whereas, in later times a great diversity of Liturgic language has come into existence in the widely separated provinces of Christendom; a circumstance which has in no way injured Catholicity, while it has endeared the national worship to the members of the different Churches;

And Whereas, the Universal Church has always suffered men of any nation, dwelling in another land of foreign speech, to use their own Liturgic forms in public worship without prejudice to Catholicity;

And Whereas, it is especially desirable that this Church to which the Great Head of the Church has committed and is daily committing multitudes of men from every nation and of every speech, should be, beyond all other Churches, comprehensive and inclusive, that of them who are and have been thus committed to her, she may lose none;

And Whereas, the use under our authority of

Liturgies, endeared by lifelong custom and tradition to congregations of foreigners residing in this country, might retain as members of the Catholic Church many who are now straying from her fold, and win to our Catholic Communion many members of the foreign religious bodies;

And Whereas, the children of such foreigners would, by this reasonable course, be brought up from infancy as members of our Church, while their parents might do much good in promoting the great cause of Christian Unity throughout the world;

And Whereas, the allowance by this Church of the Liturgic form of foreign Churches, or such reasonable modification of them as might bring them into perfect harmony of doctrine with our own, would be conceding to the individual no more than that which must be granted everywhere by Church to Church if Catholic Unity is ever in this world to be restored;

Therefore Resolved (the House of Bishops concurring), That a committee of three from each order be appointed to consider whether it would not be reasonable, wise, and charitable to allow congregations, worshipping in other tongues than the English, to use the Liturgic forms to which they have been accustomed in their native land, or such adaptations of the same as may be consistent with the doctrine and worship of this Church—and to report to the next General Convention.

For the order of reference to this committee of the foregoing preamble and resolution, see pages 134 and 135 of the Journal of 1868.

The committee regret the necessity of reporting that as a body they have not succeeded in bringing to a satisfactory conclusion the main business intrusted to them, the preparation of a version of the Book of Common Prayer in German. During the recess, however, the members of the committee have not been idle. The Rev. Dr. Falk has prepared and submitted an amended version of a large part of the book. A portion of this version, namely, the Order for Morning and Evening Prayer, and the Order for Administration of the Holy Communion, has been printed as a specimen under the direction of the Right Reverend the Bishop of Western New York and submitted to the criticism of distinguished German scholars at home and abroad, with whom the Bishop has had an extensive and instructive correspondence. The chairman of the committee on the part of the House of Deputies has also, at the suggestion of Bishop Coxe, prepared for the press ten selections from the Psalter, with appropriate headings, a revised version of the collects for the year, with the Epistles and Gospels designated by reference to chapter and verse, and the table of Sunday Lessons, all of which being appended to the portion of Dr. Falk's version already printed, and prefaced with a proper title, would make a very small volume or pamphlet, and might answer for present or pressing use in the celebration of daily worship; but it has not been thought best to publish it as intended for such a purpose, without having been previously authorized.

In the meantime, the specimens of the new version which have been submitted to criticism, while generally commended as conscientiously faithful, are, with one voice, pronounced to be too strictly literal, and too far removed from the received liturgic forms and idioms of the German language to be acceptable and edifying to German congregations. It is due to the translator to say that his previously prepared version, which was unfortunately lost, and which was the suggestion of his own taste and judgment, accorded with these matured convictions of your Committee, though it was at that time supposed to be too freely rendered. And this Committee cannot refrain from expressing their very high sense of the value of Dr. Falk's faithful, self-denying labors, for which, in their opinion, he deserves the thanks of the whole Church.

The committee are now ready to enter into arrangements for the preparation of yet a new version of the Prayer Book in the German, which they have great hopes may prove satisfactory in all particulars. They beg also to say that the suggestion contained in Dr. Pierce's resolution submitted to them, has, on reflection, commended itself more and more to their judgment, and seems to be eminently deserving of the serious consideration of the Church. The suggestion is general in its terms, but there are special reasons for its application in the case of the people who speak the German language, a language which is especially rich in the liturgical forms and magnificent Hymnals of the Lutheran and other Protestant Churches. To such a people, the translation, however accurate, of the formularies of a foreign tongue, however excellent and admirable in their original, must always stand at a great disadvantage. Such translated formularies will be but transplanted exotics, always destitute of the vigorous roots and the idiomatic aroma of those of native growth, always lacking that hold upon the popular mind and popular affections which result from the hallowed associations of traditional and national religious usage.

Of course your committee will not be understood as suggesting the propriety of our retaining in any language any form of words in the offices of Divine worship, and especially in the administration of the sacraments, which should be in the slightest degree inconsistent with the doctrines and discipline of the Protestant Episcopal Church.

Your committee have agreed to recommend to the General Convention the adoption of the following two resolutions:

1. *Resolved*, That the Joint Committee be continued, with renewed instructions to prepare and report to the next General Convention a version of the Book of Common Prayer in the German language.

2. *Resolved*, That until an authorized version of the Book of Common Prayer in German shall be set forth, it is left to the discretion of each Diocesan to license the use in German congregations under his charge of such formulary in their vernacular

tongue as shall be in harmony with the doctrine, discipline, and worship of this Church.

All which is respectfully submitted,

WILLIAM R. WHITTINGHAM,
Bishop of Maryland.

W. H. ODENHEIMER,
Bishop of New Jersey.

A. CLEVELAND COXE,
Bishop of Western New York.

DANIEL R. GOODWIN,

W. D. WILSON,

GEORGE LEEDS.

These are all the members of the Committee who are present in this Convention, so that the report is unanimous, and I move the passage of the first resolution for the continuance of the Committee, with instructions to report a version of the Prayer Book, in German, to the next General Convention.

Mr. McCRADY, of South Carolina. Mr. President, I beg that that will not be acted upon until we have had a chance of reading it. I take it the report will be in the paper to-morrow morning, and we shall have a chance to read it. Really, I think there is something underlying all this which we have not looked at, and which is to be considered. Can you manage now to have foreign churches under you? You see what you are contemplating now is the Church in China, the Church in Africa, and Churches here in different languages and nationalities.

The Rev. Dr. WILSON, of Central New York. Allow me to correct the gentleman. We contemplate, simply, congregations in our own country worshipping in other languages.

Mr. McCRADY, of South Carolina. You are cultivating the segregation of those who have come among us, by preparing for them a form of worship in their own tongue, and keeping them always separate from us. You cannot make Anglican Christians of them, especially when you tell us that the idioms of their language will not permit it. What are you to do, then? Are you going to organize yourselves so that you shall have (as I think I heard in a Canon to-day), under your own Anglican Church, other Churches having different modes of worship, having different rituals? That is exactly what you are going to do. I would be very glad that we should reflect upon this before we commit ourselves to it. It may be said that we have committed ourselves already. Perhaps we have. I remember, in 1868, it seemed to me that we were very much in the road to that committal. But now it has forced itself on our attention more at this present time than it ever did before. What good are you doing to the community in which you live? Do those who come from abroad come here to live with us and to be Americans, or do they come to remain perpetually of the nationalities they were originally? If they are to remain perpetually of the nationalities from which they came, then give them the ritual in their own language; but if they are to be Americans with us, if they are to become Anglican Christians, let them learn our language as

soon as they possibly can: and in what better way can they learn it than through our ritual? This is serious matter. I put it to gentlemen. I am not prepared to argue it now; I am not prepared to present all the views that may be taken of it; but I am prepared to call the attention of this body to what is before them, and that is all I have done.

The Rev. Dr. ABERCROMBIE, of New Jersey. I do not think any subject of greater importance can come before this body at this time, as we are a Missionary Church, and every member of the Church is a missionary. We have, under the providence of God, a large influx of immigrants to this country who are Germans. I had the honor to be placed with that illustrious prelate, Bishop Burgess, upon a Committee of the Board of Missions on this subject. In examining into the status of the German population, we found that there were about five or six millions in the United States, a large number of whom were infidels, but a very large number truly Catholic evangelical Christians, brought up in the nurture and admonition of the Lord in their own country, and who had come here, many of them, without friends, and had been lost entirely to Christianity for the want of proper Christian education.

I would say, in answer to the gentleman from South Carolina, that there is a very large percentage of these persons who are very aged, who never can, in the course of things, learn our language. They may be identified with our institutions in other respects, but it is perfectly impossible for them, thousands upon thousands as they are, ever to learn our tongue. It is principally for these that the committee have in their report provided. I had prepared myself a resolution somewhat similar to the second resolution brought in by the committee, and it was after conversation with Bishop Pierce who introduced, when a member of this House, the resolutions which have been read to you. I have also conversed with a large number of Lutheran clergy. I have had the privilege of building up one or two German congregations, and have had to do with placing German pastors over them, and in conversation with these clergy, they told me that there was a large number of the Lutheran clergy ready to come over to our Church with their congregations if we would so adapt our Liturgy to their national tastes and education as to make it agreeable to them.

The version of the German Prayer Book, which was adopted at one time by the Convention, has been found ill-adapted to the use of the Germans. There are terms in that version which they cannot understand, and we give them, therefore, a Liturgy in that way not understood of the people. There are terms there that are very obnoxious to them. I will instance one, the word *Catholische*. The word *Catholische* is identified in their minds with the Roman Catholic Church, and you cannot separate it in their minds from that meaning. We can meet that difficulty by allowing them, under the sanction of the Bishop, to use the other Creed and use the term *Allgemeine*. But there are other terms used in that version that the people cannot understand. I found that the great difficulty was in the Liturgy. I believe that there are hundreds of their clergy and of their congregations that would come over to the Church if we could adapt our liturgical service to those hallowed associations which they so venerate.

I therefore do hope that these resolutions will be adopted. I should much rather have the second resolution adopted, which allows the Bishops, under cer-

tain restrictions, to permit the Germans to use their own liturgical service till their ministry were educated and ordained in the Church.

Mr. McCRADY, of South Carolina. As I understand the motion it is that we concur. I move that this report be printed before we proceed to its consideration.

The gentleman from New Jersey tells us these people will come into us if we will alter our Creed; that if we change a word in our Creed they will come to us. I should like to know who it would keep out if we alter the Creed to suit these men. I say you are admitting a thing which is hardly possible if you have to alter your Creed to bring these people in.

The Rev. Dr. ABERCROMBIE, of New Jersey. No; I do not propose to alter the Creed.

Mr. McCRADY, of South Carolina. I have no objection to the Lutheran Ritual. It is a very good ritual, very much like our own in a great many respects, and a Christian man can use it very well. But then are you going to make our Church a Lutheran Church or the Lutheran Church our Church? Which do you mean to do? Do you intend to amalgamate and make a common body? I cannot understand it. Are we to be a national Church over them and they auxiliary to us? I am not willing to do that. You are asserting the power of one Church over another. I therefore hope that will not be passed until we have a chance to read the report and know what there is in it.

The PRESIDENT. The postponement until to-morrow will give the opportunity to read it without ordering its printing, it being printed in the paper that contains our debates.

Mr. McCRADY, of South Carolina. I move that it be postponed until to-morrow.

The PRESIDENT. It must be postponed now, unless the order of the day is dispensed with, as the hour has arrived for the order of the day.

Mr. STARK, of Connecticut. I move that the order of the day be suspended for five minutes until we dispose of reports from committees and resolutions.

The motion was agreed to.

The PRESIDENT. The report on the German Prayer Book is regarded as postponed.

CHURCH AT ROME.

Mr. SHEFFEY, of Virginia. I present a memorial from the Rev. Dr. R. J. Nevin, rector of our Church in Rome, and move its reference to the Committee on Canons.

The motion was agreed to.

SESSIONS OF CONVENTION IN NEW YORK.

Mr. STARK, of Connecticut. I offer the following resolution:

Resolved, That the Committee on the State of the Church be instructed to consider and report upon the expediency of hereafter holding the sessions of the General Convention in the city of New York, and, if the committee find it so expedient, then to consider and report upon the propriety of submitting a memorial, the House of Bishops concurring, to the corporation of Trinity Church in the city of New York, requesting such corporation, on condition that the sessions of the General Convention shall be there hereafter holden, to provide a suitable structure and to dedicate the same to the use of the General Convention, its officers and committees, and the committees, commissions, and offices of the Domestic and Foreign Missionary Society.

The resolution was referred to the Committee on the State of the Church.

TIME OF ADJOURNMENT.

Mr. HUNTER, of Long Island. I submit the following resolution:

Resolved (the House of Bishops concurring), That a committee of this House be appointed to confer with a committee to be appointed by the House of Bishops, in regard to the time of the adjournment of this Convention.

I offer this now that we may fairly look our business in the face, that we may fix a day or take some steps to fix a day of adjournment, that we may know how long we may have to do our business, how much time we have to waste.

The PRESIDENT. I think that had better be referred to the Joint Committee on business, appointed by the House of Bishops, the members of which will be appointed now by the Chair.

Mr. HUNTER, of Long Island. I have no objection.

The PRESIDENT. It is moved to refer this resolution to the Joint Committee, to expedite the business of the Convention.

The motion to refer was agreed to.

The President appointed the Rev. Dr. Beardsley, of Connecticut, the Rev. Dr. Perry, of Western New York, and Mr. Gordon, of Alabama members of the Joint Committee, to expedite business.

PUNCTUATION OF THE PSALTER.

The Rev. Dr. Clark, of New Jersey, offered the following:

WHEREAS, The General Convention of this Church in 1789, in establishing the Book of Common Prayer, revised the Psalter, as it was then printed in the English Prayer Book, changing the punctuation throughout, to adapt it to the general use of the Church in the United States, according to the order which appoints it to be read; and,

WHEREAS, The Standard Prayer Book conforms to the punctuation then adopted, both in the Psalter and the Chants, and a deviation therefrom unauthorized by the General Convention is subversive of order, and tends to mar the uniformity of the Ritual in the Church; therefore,

Resolved, That the Committee on the Prayer Book be requested to inquire what legislation may be necessary to prohibit the introduction into any edition of the Prayer Book, purporting to be published under the authority of any Bishop of the Church, of any punctuation or technical pointing deviating from that of the standard Book; and that the committee be authorized to report by Canon or otherwise.

The Rev. Dr. CLARK, of New Jersey. I move the reference of that to the Committee on the Prayer Book.

The motion was agreed to, there being on a division ayes, 112, nays, 59.

Several deputies called for the order of the day.

RITUAL UNIFORMITY.

The Rev. Dr. MEAD, of Connecticut. Before the order of the day is taken up, I will now announce that the joint committee of the two Houses, to whom was referred the report of the five Bishops constituting the committee of the House of Bishops on ritual, are prepared to report, and the report is now in process of being printed, to be laid before the House. I move that that report be made the order of the day for to-morrow at half past eleven o'clock.

Mr. CARTER, of Maryland. I move to amend that by making it the order for Saturday at half past eleven. My motive for that is that we shall not have a sight of this report until the Convention meets to-morrow, and we get our papers. The motion of the chairman of the committee is to print it, and we shall not see it until we go into the debate.

The Rev. Dr. MEAD, of Connecticut. It is in the hands of the printer now.

Mr. CARTER, of Maryland. We cannot see it until to-morrow. It is a very important subject. We have not even heard the report read. We shall not know anything about it until to-morrow morning. I understand the committee have only agreed upon their report this morning, and it cannot be printed for us to-day. This is the most important subject of the whole session; and are we to go into discussion a half an hour after we see the report? You might as well take it up now, and have it read from the Secretary's desk, as take it up to-morrow after we have had a mere chance to glance our eyes over it. I submit that if a day is given to delegates to understand it by reading it, the discussion will be considerably shortened. If you let gentlemen get up without time to reflect, and give utterance to the chance thoughts that may occur to them at the moment, more time will be consumed. I have always found in all deliberative bodies, that if members have time to study out a thing before they get on their feet to speak about it, they are apt to speak much more briefly.

The PRESIDENT. I will say that, as the order of the House will stand if this motion be adopted, there will be just half an hour to accomplish the purpose mentioned by the gentleman from Maryland, a half hour before another order of the day will have to be taken up. That will give that opportunity for hearing the report and for considering it, and then it will go over to the next day.

Mr. WITHERS, of Virginia. I ask, as a question of order, if we have a right to make a report from a committee the order of the day, when such report has never been received?

Mr. McCRADY, of South Carolina. There is a difficulty which I think the chairman of the committee can relieve us of. I suggest that he have leave at any time to-day to interrupt the business of the House to read that report.

Mr. ANDREWS, of Ohio. The report is here now.

Mr. McCRADY, of South Carolina. Then certainly let us have it.

The Secretary read the report, as follows:

CANON OF RITUAL.

§ 1. This Church, holding fast its liberty in Christ its Head, recognizes no other law of ritual than such as it shall have itself accepted or provided; meaning thereby in no wise to prejudice or arraign the differing rites, usages, customs, or laws of other branches of the Church of Christ.

§ 2. The provisions for Ritual in this Church are:

1. The Book of Common Prayer, with the Offices and Ordinal thereto appended, as adapted to the use of this Church by additions, omissions, or other alterations from time to time constitutionally made.
2. The Canons of the Church of England in use in the American Provinces before the year 1789, and not subsequently superseded, altered, or repealed, by legislation, General or Diocesan, of this Church.

3. The Canonical or other regular legislative or judicial action or decisions of this Church, in its Conventions, General or Diocesan, or by its duly constituted authorities.

§ 3. For the greater uniformity and simplicity of the public worship of this Church, for the more effectual enforcement of due habits of solemn reverence in its Congregations, and out of considerate regard to the conditions under which the extension of the Church is now and hereafter to take place, it is hereby declared and provided, that in all questions arising concerning Ritual Observance, the Administration of the Law of Ritual of this Church, whether for enforcement or for restriction, appertains to the office and duty of the Ordinary, whose official written determination, whether of his own motion, or at the official demand either of a Rector or of a Vestry, shall be held to be the settlement of any question which shall at any time arise concerning Ritual: *Provided*, however, that contradictory determinations shall be subject, on Memorial or otherwise, to revision by the House of Bishops, under such rules and regulations for bringing the same before them, as said House of Bishops shall prescribe.

WILLIAM ROLLINSON WHITTINGHAM,

Bishop of Maryland.

WILLIAM COOPER MEAD,

Chairman of the Committee on the part of the House of Deputies.

RESOLUTION ADOPTED BY THE JOINT COMMITTEE ON RITUAL.

Resolved, That a Joint Committee of three of each Order be appointed to examine the Canons of the Church of England, of 1603, and report to the next General Convention what portions were in use in the American Provinces in the year 1789, and how far the same have been modified by repeal, or alteration, or other mode, by action of this Church, in its Convention, General or Diocesan, and whether any portion requires modification or repeal.

WILLIAM ROLLINSON WHITTINGHAM,

Bishop of Maryland.

WILLIAM COOPER MEAD,

Chairman of the Committee on the part of the House of Deputies.

The Rev. Dr. CADY, of New York. I ask the deputy from Connecticut if that is the unanimous report of the Committee to whom this subject was referred.

The Rev. Dr. MEAD, of Connecticut. It is a report, as announced by the Chairman of the Committee of the House of Bishops, agreed to by a vote of 12 to 3. That is pretty nearly unanimous.

Mr. WITHERS, of Virginia. We have the right to presume that it is a unanimous report, unless a minority report is presented.

The Rev. Dr. CADY, of New York. It was the object of my question to learn whether there was not a minority report to be presented to the House.

The PRESIDENT. The first question will be on the amendment of the gentleman from Maryland, to make this subject the order of the day for Saturday at 11½ o'clock, instead of to-morrow at 11½ o'clock.

The Rev. Dr. PADDOCK, of Long Island. I desire to say before that question is taken, that it ought most distinctly to be borne in mind that whatever may be the inconveniences of deputies considering this report which has now been distinctly read, and

to be pondered by them for at least twenty-four hours, the inconveniences also of bringing a report of this sort before this House only a little before the hour of adjournment at the close of the third week of this Convention, are exceedingly great. There are, to my certain knowledge, very many deputies of this House who are so tied up by obligations at home, that Saturday is the last day on which they can be present at this Convention; and if we are to bring up this, perhaps the most important question of this whole Convention, at the very last of the session, at half past 11 o'clock on that day, with an order, I believe, following it at 12 o'clock, it will be impossible for us to approach this subject as we ought to do. Gentlemen have now heard the Canon read. There are few, if any, details in it. It is not complicated. To-morrow at an early hour, probably two hours before half past 11 o'clock, that proposed Canon will be in the hands of every member of this House in the *DAILY CHURCHMAN*. I beg gentlemen to remember that it is of exceeding importance now that the Canon is before us, to give it consideration at as early an hour as possible. I hope, therefore, that the amendment will not prevail, but that we shall take up this Canon at half past 11 o'clock to-morrow morning.

Mr. CARTER, of Maryland. As the report has now been read, I did not know what it was when I made the motion, I withdraw the motion to amend.

The PRESIDENT. The question, then, is on making it the order of the day for to-morrow at half past 11 o'clock.

The motion was agreed to.

Mr. CARTER, of Maryland. I ask leave to offer the following amendment, so that it may be printed as an amendment to the proposed Canon:

Resolved, That the foregoing Canon shall not go into operation until the General Convention of this Church shall have determined and declared what Canons of the Church of England were in use in the American Provinces, in the year 1789.

I perceive that by one of the resolutions, the Canons which were in use in the Provinces of this country in the year 1789 are declared to be in force, and I notice also that by another resolution, a committee is constituted to report to the next General Convention what Canons were in use at that time. My amendment is simply that the Canon on Ritual shall not go into effect until that report has been made, and a determination made by the General Convention of what Canons were then in use.

The Rev. Dr. MEAD, of Connecticut. That would be a very proper resolution to offer to-morrow when the subject comes up; but I hold that when the House have ordered the report to be printed, and the committee do not ask action now, the House ought not to tack anything on their report. The gentleman can give notice of his resolution to-day and bring it up to-morrow when the report is before us, but not before.

Mr. CARTER, of Maryland. I do not want to tack anything on the report, and if the learned deputy had listened to my motion he would not have so supposed. I am not on the committee and have no right to tack anything on the report. The House allowed the Reverend deputy from Pennsylvania [Dr. Goodwin], the other day, when a matter was coming up on a subsequent day, to give notice of an amendment he intended to offer, and that was printed, simply as an amendment proposed. I do not wish to offer my amendment at the last moment, when gentlemen have

had no time to consider it. I offer it now and ask that it be printed as an amendment to be offered by myself at the proper time, in order that gentlemen may see it and look over it. That will facilitate progress, not obstruct it.

The PRESIDENT. You are satisfied that it shall be printed in *THE CHURCHMAN*, I suppose.

Mr. CARTER, of Maryland. That will answer.

The PRESIDENT. Then no motion is necessary. The amendment will be laid on the table now, to be called up when the report is taken up.

The Rev. Dr. MASON, of North Carolina. As far as I remember, the Canons in force in 1789 were used in the Province of Canterbury and are printed in Baskett's edition of the Prayer Book in the days of George II.

Mr. JUDD, of Illinois. The gentleman refers to Canons "in force." I inquire whether the report speaks of Canons "in force" or "in use."

The Rev. Dr. ANDREWS, of Virginia. "In use."

EVENING SESSIONS.

Mr. WELSH, of Pennsylvania. I offer the following resolution:

Resolved, That on and after Monday next, the sessions of this House be from 10 o'clock, A. M. to 3 o'clock P. M., and from 7 o'clock P. M., to 10 o'clock, P. M.

The Board of Missions are entirely willing to give way, and if they have any business after this week they will have to perform it in the afternoon.

The resolution was adopted.

LIMITATION OF BUSINESS AND DEBATE.

Mr. BATTLE of North Carolina. I offer the following resolutions:

Resolved, That no new subject matter be entertained by this House after Saturday, the 21st inst.

Resolved, That after Monday, the 23d inst., no member of this House shall speak more than once on the same subject, nor more than ten minutes at one time.

Mr. JUDD, of Illinois. I hope that first resolution will not pass. I know of some very important matters that are now in the House of Bishops and cannot be acted upon until the report of the committee relative to an amendment of the Constitution has been acted upon. Propositions to erect new dioceses will come before this House that may be said to be new matter because they have not yet been before the House.

The Rev. Mr. HANCKEL, of Virginia. I call for a division of the resolutions.

The Rev. Dr. HARE, of Pennsylvania. I rise to a point of order. The 5th rule says: "The House shall proceed to the order of the day at 12 o'clock precisely, unless dispensed with by a vote of two-thirds of all the members present."

The PRESIDENT. It has been dispensed with by universal consent up to this time.

The Rev. Dr. HARE, of Pennsylvania. A vote was taken,—whether a two-thirds vote or not I do not know,—to suspend the order for five minutes, and more than five times five minutes have elapsed since that time. I respectfully call for the enforcement of our rules.

Several DEPUTIES. Let us have the order of the day.

The PRESIDENT. The rules will be enforced.

CANONS ON ORDINATION.

The House proceeded to consider the order of the day, being the amended Canons reported by the Joint

Committee on Theological Education to take the place of the present Canons from 2 to 9 of Title I.

The SECRETARY resumed the reading of the amended Canons, commencing with sub-section 3, Section 3, of Canon 2, Title I., as follows:

[3.] Such testimonials shall be signed either by the Rector and a majority of the Vestry of the Parish or Congregation to which the Postulant may belong, or, in circumstances justifying such alternative, by at least one Presbyter and four respectable Laymen, communicants of the Protestant Episcopal Church.

The Rev. Dr. NELSON, of Maryland. I have an amendment to offer to this sub-section, and I will state that my amendment is accepted by the gentleman who has this matter in charge, and it is so plain that it requires no illustration whatever. It is to insert, after the words "to which the postulant may belong," these words: "said vestry being duly convened, and the fact being explicitly stated on the face of the testimonials."

The Rev. Dr. HARE, of Pennsylvania. I second that motion.

The Rev. Dr. CADY, of New York. Suppose there be no vestry? We have parishes in the Diocese of New York which have no vestrymen.

The PRESIDENT. That is provided for by the next sub-section.

The Rev. Dr. PADDOCK, of Long Island. I observe that the pending motion to amend was seconded by the clerical deputy from Pennsylvania, who is the chairman of this committee; and taking a hint from that, I beg leave to suggest, if it be within my immediate sphere, that hereafter when any amendment which is offered meets the approbation of the chairman of the committee, and therefore may be supposed not to break in upon the general scheme, the clerical deputy from Pennsylvania will please rise and second it. That will be a sort of certificate to this House, that he, at least, and his committee think well of the proposed amendment; and then I think most of us, seeing him second an amendment, will vote for it without a moment's discussion.

The PRESIDENT. The question is on the amendment of the gentleman from Maryland.

The amendment was agreed to.

Mr. BURGWIN, of Pittsburgh. Now, I move that the word "respectable" in that sub-section, before the word "laymen," be stricken out, because it seems to me that any layman who is a communicant of this Church, may be presumed to be respectable, until the contrary appears; and inasmuch as the next section of the canon does not render it obligatory upon the Standing Committee even to receive such testimonials, unless they think proper, of course we cannot, by adopting this amendment, oblige them to receive such testimonials. They may still judge, and if they think they are not from respectable laymen, they may refuse to receive them. At all events, I do not like our legislation to imply that there are two classes of laymen communicants of this Church, those who are respectable and those who are not respectable.

Mr. FAIRBANKS, of Tennessee. It strikes me that is a correct word to use. It means persons whose opinions ought to be respected. That is the sense in which it is used.

Mr. MASSIE, of Virginia. I should like to know if that is not the language of the old canon.

The amendment was rejected.

No other amendment being proposed, the Secretary read the next sub-section, as follows:

4. The Standing Committee shall be sole judge of

the propriety of receiving testimonials signed by others than a Rector and Vestry.

No amendment being proposed, the Secretary read the next sub-section, as follows:

[5.] A majority of members of a Standing Committee having the requisite personal knowledge of a Postulant for recommendation, may, at the discretion of the Committee, dispense with the presentation of testimonials by a Rector and Vestry, or by others of the clergy and laity.

No amendment being proposed, the Secretary read the next sub-section as follows:

[6.] The Standing Committee, on the receipt of such testimonials, or, in its discretion, on the personal knowledge of its members, being duly satisfied that there is not sufficient objection on grounds either physical, intellectual, moral, or religious, may proceed to recommend a Postulant for admission to candidateship, by a certificate bearing the signatures of all the members of participant in such action, and addressed to the Bishop of the Diocese in the following words:

"We, whose names are hereunder written, do certify that from personal knowledge, or from testimonials laid before us, we believe that A. B. is pious, sober, and honest; that he is attached to the doctrine, discipline, and worship of the Protestant Episcopal Church, and that he is a communicant of the said Church, in good standing; and do furthermore declare that, in our opinion, he possesses such qualifications as fit him for entrance on a course of preparation for the Holy Ministry, with prospect of advantage to himself and to the Church."

The Rev. Dr. HASKINS, of Long Island. I move to amend the form of testimonial thereby, striking out after the words "holy ministry," the words "with prospect of advantage to himself and to the Church," in order that it may be consistent with the other testimonial which was amended the other day.

The amendment was agreed to.

The Rev. Dr. MASON, of North Carolina. I wish to offer an amendment to the form of certificate here prescribed. It reads: "We, whose names are hereunder written, do certify that, from personal knowledge, or from testimonials laid before us," etc. I do not understand the use of the disjunctive conjunction "or" there. Is it from personal knowledge that a certificate is to be given, or is it from testimonials? Here it is first "personal knowledge," and then there is the alternative of testimonials, and we cannot say which it is to be given upon.

Several DEPUTIES. Either.

The Rev. Dr. MASON, of North Carolina. How can a certificate be signed in that way? Here is a Standing Committee, and they receive testimonials, and they do not know one single syllable of the person. How can they certify then from personal knowledge?

Mr. SHEFFEY, of Virginia. I think there is propriety in the suggestion of the reverend deputy from North Carolina. If the words, "or from testimonials laid before us," be thrown into the form of a bracket, with the addition of the words, "as the case may be," then it will indicate to the committee they have certified in the form of personal knowledge, or, as the case may be, from testimonials. That is the way in which laws are printed when an alternative form is allowed by a certifying officer.

The Rev. Dr. PADDOCK, of Long Island. Allow me to ask the gentleman what he would do in the case where six men, perchance, signed it from their personal knowledge, and the other six not from personal knowledge, and who must therefore take refuge in the testimonials?

Mr. SHEFFEY, of Virginia. I presume, in such a case as that, the certificate would set forth the fact as the fact exists; that is to say, the six would sign it from personal knowledge, and the other six would sign it in the other form, from testimonials laid before them.

The Rev. Dr. PADDOCK, of Long Island. The certificate must be according to this prescribed form, or it can pass no Standing Committee of any diocese; and therefore the form in this Canon preserved the possibility of signatures on the part of men who signed from testimonials, and also signatures on the part of men who signed from personal knowledge.

The PRESIDENT. The gentleman will permit me to inform him that this is the testimonial from the Standing Committee, not the testimonial to be laid before the Standing Committee.

The Rev. Dr. PADDOCK, of Long Island. Still, it must go before the Bishop in this form, or he is not obliged to receive it. There can be no deviation from the form required to be laid before the Bishop.

The Rev. Dr. MASON, of North Carolina. I propose that the words, "from personal knowledge," be stricken out, and then I have another amendment to offer.

The Rev. Dr. NELSON, of Maryland. Will the gentleman allow me to ask a question, because I think it will put an end to this whole discussion? If you will look at the fifth sub-section, you will find that this body has already settled the question. That sub-section reads as follows:

"A majority of members of a Standing Committee having the requisite personal knowledge of a Postulant for recommendation, may, at the discretion of the Committee, dispense with the presentation of testimonials by a Rector and Vestry, or by others of the clergy and laity."

They may do that from their own personal knowledge, or from testimonials laid before them.

The Rev. Dr. MASON, of North Carolina. But the gentleman does not perceive the difficulty, which is that the testimonial must be signed in these words. How can they be signed in these words? What sort of certificate is that which says "from personal knowledge or from testimonials"? They are different things.

The Rev. Dr. NELSON, of Maryland. I will answer the question in this way: Our Standing Committee consists of seven gentlemen. Suppose that four of them sign from personal knowledge and three sign from testimonials laid before them; that I, for instance, sign from personal knowledge, and you, being a member of the same Standing Committee, sign from testimonials. Therefore you must use the word "or."

The Rev. Dr. MASON, of North Carolina. No, you must not; you must use the word "and." It is a totally different thing. It means one or the other, not both.

The Rev. Dr. NELSON, of Maryland. Then strike out "or" and insert "and."

Mr. WITHERS, of Virginia. The difficulty is that there might be no testimonials. Every one might know these things of the Postulant from personal knowledge, and how could they certify then "from testimonials" when there were none before them? As it is now I am satisfied with it; but if you put in the word "and," I am not.

The Rev. Dr. MASON, of North Carolina. The difficulty is this: It is a certificate. Now, it happens in almost every case, certainly in a great number of cases, that the Standing Committee have no knowledge of the postulant at all. He may come from a distant and different part of the State from that in which the Committee reside, and they may really have no personal knowledge of him whatever, and yet the testimonials on his behalf may be perfectly satisfactory: but how can they possibly certify from "personal knowledge?" Then, again, it may be that every one of the Standing Committee is personally acquainted with him, and that the testimonial can be signed, as I propose to have it, from "personal knowledge."

I therefore propose to strike out the words "from personal knowledge," and also the words "do furthermore declare that in our opinion." These words appear to me, if you take the certificate from the testimonials, to be perfectly superfluous. What they state is that they believe such and such things of him. Now, they do not know the postulant at all, and they can only speak from the testimonials produced to them. If, therefore, the words "in our opinion" mean more than belief, they certainly cannot conscientiously sign the testimonial; if they mean "belief," they are unnecessary and superfluous.

A further amendment that I propose is this:

Provided, That in case the Standing Committee have personal knowledge of the postulant the certificate from the Standing Committee shall read as follows:

We, whose names are hereunder written, do certify that, from personal knowledge, we believe that A. B. is pious, sober, and honest; that he is attached to the doctrine, discipline, and worship of the Protestant Episcopal Church, and that he is a communicant of the said Church in good standing; and we do furthermore declare that in our opinion he possesses such qualifications," etc.

These are the amendments that I propose. They are connected together, and therefore I have given them together.

The Rev. Dr. HOWE, of Pennsylvania. I move as an amendment the use of the words in the certificate that are now required by canon, which will get rid of all this discussion—"do testify from evidence satisfactory to us."

The Rev. Dr. HARE, of Pennsylvania. Mr. President, I desire to say as little as I can with justice to the position which I for the time being occupy. When the Church of England reformed, it did it from the principle of changing nothing for the sake of change. When this committee came to this work, it acted upon a similar principle. It changed nothing of the old Canons for the sake of change. It looked at Title I., Canon 2, Section 4, of the existing Digest—I may conflict in this statement

with what has just been said; the House will judge whether I say truly—and read thus:

"No person shall be considered as a candidate for Holy Orders in this Church, unless he shall have produced to the Bishop to whom he intends to apply for Orders, a certificate from the Standing Committee of the diocese of the said Bishop, that, from personal knowledge, or from testimonials laid before them, they believe that he is pious, sober, and honest," etc.

Here the present form of certificate is prescribed. According to this is the usage, at least, in the Standing Committee of the Diocese of Pennsylvania. Nevertheless, if any gentleman should prefer this sub-section to read thus: "We, whose names are hereunder written, do certify that, from personal knowledge,"—and then in brackets—or from testimonials, as the case may be, "we believe." I think that would obviate the whole difficulty, and I have no doubt it would be most satisfactory to the Committee I represent.

The Rev. Dr. MITCHELL, of Georgia. I think the movers of both the pending amendments will, perhaps, accept this as a substitute; simply to leave out altogether "from personal knowledge or from testimonials laid before us." The previous section of the Canon has provided what testimonials shall be laid before the Standing Committee. With those testimonials laid before them, will it not be sufficient for the Standing Committee to say, "We hereby certify that we believe," without any reference to testimonials or personal knowledge either?

The Rev. Dr. HARE, of Pennsylvania. For the purpose of saving time I second that proposition.

The Rev. Dr. MASON, of North Carolina. I am very willing to accept it.

The Rev. Dr. LEWIN, of Maryland. I suggest that there would be a difficulty if we adopted the suggestion of the Deputy from Georgia, for then the Standing Committee may form their belief on mere hearsay. This requires that testimonials of a certain character shall be laid before them, and they must signify therefore that their belief is based upon that presentation.

The PRESIDENT. Perhaps I may be permitted to say that from very long practice on a Standing Committee, it seems to me the motion made by the Deputy from North Carolina, is a very important one and will remove a great many inconveniences, and although it makes two certificates instead of the one provided here to be furnished, there is only to be one at the time. The amendment proposed by the gentleman from Georgia will embarrass the Standing Committee very much in their not having to state whence they derived their belief, because in nine cases out of ten they derive it from testimonials, and they would like very much to have the right to so state.

The Rev. Dr. MITCHELL, of Georgia. The previous section says they shall not give the certificates unless these testimonials are laid before them.

The Rev. Mr. CURRIE, of Rhode Island. It seems to me it would relieve this matter from considerable embarrassment, if we would place the words, "from personal knowledge, or from testimonials laid before us," in brackets. The latter clause, "from testimonials laid before us," is, in a

manner, a contradiction of the previous clause, "from personal knowledge"; and if these two were put in brackets, with the addition of the words, "as the case may be," it would seem to solve the difficulty. It would then read: "We, whose names are hereunder written, do certify that [from personal knowledge, or from testimonials laid before us, as the case may be] we believe that A. B.," etc.

The Rev. Dr. HARE, of Pennsylvania. I second that, for the purpose of saving time.

The Rev. Mr. SPENCER, of Delaware. I should like to inquire whether there has been any difficulty in candidates gaining their candidateship by the phraseology of the old certificate. As a member of the Standing Committee of my diocese, I have never found any difficulty in the old phraseology, and I should like to inquire of those who are members of the Standing Committees of the different dioceses, whether there has been any difficulty anywhere in gaining this certificate.

The PRESIDENT. A practical difficulty arose in Kentucky, according to the provision of the Canon which allowed testimonials to be laid before the committee to be of the same purport with that signed by the Standing Committee, and testimonials were laid before us by persons signing from testimonials laid before them, and so we might have gone back with no personal knowledge at all of the candidates.

The Rev. Mr. ROGERS, of Texas. I think the suggestion made by the gentleman from Virginia [Mr. Sheffey] is the best that we have had before us. It exactly corresponds with all the expressions of our statutes. All laws are so written. In the first place they give one form, and then embrace within a bracket another, if the case be so. Putting both forms in brackets would be a new way to write a Canon for my eye. I hope that all other propositions will be voted down, and the amendment of the gentleman from Virginia accepted.

Mr. WHITTLE, of Georgia. This is a question of a great deal of importance. Whenever this certificate is given, it is to show upon its face upon what information it was given, so that the responsibility will rest on the proper parties. If it is given upon testimonials, those testimonials are filed, and can be looked at, and if, by accident or design, an improper person has been recommended, the certificate should be so framed as to show where the responsibility lies.

Some gentleman has suggested that cases may arise where the personal knowledge will not extend to all the members of the Standing Committee. I do not think that is required. The sub-section now reads:

"The Standing Committee, on the receipt of such testimonials, or, in its discretion, on the personal knowledge of its members," etc.

It does not say "on the personal knowledge of all its members," but "on the personal knowledge," it may be construed, of some of its members, and they can themselves give the certificate. I think the amendment suggested by the chairman of the committee should pass, and it is a practical question, so as to put the responsibility of this recommendation where it belongs.

The PRESIDENT. The question is on the amendment of the gentleman from Rhode Island [the Rev. Mr. Currie].

The amendment was agreed to.

The Rev. Dr. DALZELL, of Louisiana. I move that the word "all" at the end of line six of this sub-section be stricken out, and the words "a majority of" substituted. When a postulant has become a candidate for Holy Orders, he is to receive from the Standing Committee a testimonial addressed to the Bishop, which will recommend him to be ordained a deacon in the Church. That testimonial is to be signed according to the future sections of this Canon, which are not yet before us, only by a majority of the Standing Committee; but in the case of a young man who is a postulant for candidateship applying, this section renders it necessary that every member of the Standing Committee who is present shall sign the certificate, and therefore if one member of the Standing Committee, every member of that Standing Committee being present, refuses to sign that certificate, he cannot be admitted to candidateship for Orders in the Church.

Now, sir, in my experience I have known a case in which one who was called upon to sign a certificate refused to do so. His Bishop afterwards told him he thought he had made a mistake, and that young man, he believed, would make a most faithful and useful minister in the Church. The presbyter on that Standing Committee who refused to sign that certificate is now speaking to you. And I am happy to say that the opinion of the Bishop has been verified in opposition to the opinion which I myself then entertained.

I do not believe in requiring every member of the Standing Committee to sign the certificate of that postulant. See what a wide margin this sub-section of the canon takes. The certificate refers to his physical, intellectual, moral, and religious qualifications for the holy ministry. There may be some one of that Standing Committee with peculiar idiosyncrasies of his own which may lead him to believe sincerely that the young man will not, either from religious disqualifications, in which he may include doctrinal opinions, or from physical, or intellectual, or moral disqualifications according to his opinion, exercise his ministry usefully and beneficially in the Church; and if he refuses on either of these grounds, suggested by his own peculiar physical, moral, intellectual, or doctrinal idiosyncrasies to sign that certificate, the young man cannot be accepted.

On these grounds, I beg to propose the amendment.

The Rev. Mr. GILLESPIE, of Michigan. I wish to ask the Chairman of the Committee whether that language is rightly understood by the gentleman who has just spoken. As I understand it, it simply requires, the postulant being thus recommended, that the certificate shall receive the signatures of those who are favorable, not requiring the signatures of all the members of the Committee.

The Rev. Dr. HARE, of Pennsylvania. I beg gentlemen to observe that the sub-section runs as follows:

"The Standing Committee, on the receipt of such testimonials, or, in its discretion, on the personal knowledge of its members, being duly satisfied that there is not sufficient objection on grounds either physical, intellectual, moral, or religious, may proceed to recommend a postulant for admission to candidateship by a certificate bearing the signatures of all the members participant in such action."

In what action? In the action of recommendation. The deed must be the deed of the collective body, the Standing Committee. It must be the act of a majority of that body. But the thing intended by this law and imported by its words is that this act of a majority of the Standing Committee (and a majority only is needful), shall be authenticated, not merely by the signature of the Secretary of the Committee, but by the signatures of all participant in the act of recommendation.

Mr. FARNSWORTH, of Rhode Island. It does not make a great deal of difference what may have been the intention of the writers of this section as to its meaning. The obvious construction put upon it by everybody would be that all the members of the Standing Committee present would be required to certify that they personally were in favor of the postulant being received as a candidate for Orders.

The Rev. Dr. BEARDSLEY, of Connecticut. If that is the construction put upon the language, it would operate very much against the Standing Committee of the Diocese of Connecticut. We have five members, all of whom are clergymen, three of whom constitute a majority and can act on the testimonials of any postulant. If the three only should be present and they participate in this action, two recommending the postulant and one against him, you could not get the signatures of the three, and hence the candidate could not be recommended. Two would not be a majority of the Committee, but would be a majority of those who participated in the action. Now I suggest to the respected Chairman of the Committee on the part of this House whether it would not meet all the difficulties to say: "may proceed to recommend the postulant to admission to candidateship by a certificate bearing the signatures of a majority of said Committee and addressed to the Bishop of the diocese," etc. In Connecticut every member present signs unless he has objection to signing, unless he has objection to the candidate. We never allow the President or the Secretary to sign for us.

The Rev. Dr. HALL, of Long Island. There is a fatal objection in my mind to this amendment of the gentleman from Louisiana, and that is, that the certificates at last will bear possibly less than a majority of the names of the Standing Committee. It requires a quorum of at least five members to be present to pass the act. Now, unless all those who are present, if they are expected to sign by the law, do sign, there will be wanting the necessary majority to testify to the Bishop that it was done in a legally-convened session. I cannot possibly understand the objection that is made. In the diocese of which I am a member, the habit is for all to sign.

If there are only five of us present, as is often the case, and one declines to sign, of course the certificate is imperfect, unless the secretary of the committee shall then certify that there was a quorum present, which would be adding to the certificate. I would object very much to allowing men to receive this certificate unless it can bear on its face the fact that there was a lawfully-convened meeting of the Standing Committee, and to do that, if you sign at all, will require the signatures of all.

I do not want to change this Canon, but will there be any objection to a case where the president and secretary sign, some individual member having some scruple of his own, and yet he certainly gives in his adhesion to the act? By signing, he only gives in that adhesion. He may have his personal difficulties, but as a member of the minority, he must of course submit, in certain cases, his own particular scruples to the majority. As the Canon reads now, it will show on its face that there is a majority present. As it will read, if amended, it need not show that, and therefore it will be no certificate unless it is afterward certified by the secretary that there was at the time a legal session of the Standing Committee. It seems to me only complicating the matter, or else leaving the certificate entirely defective.

The Rev. Dr. GOODWIN, of Pennsylvania. I beg to call attention to the seventh Canon of Title III. of the Digest:

"In all cases in which a Canon of the General Convention directs a duty to be performed, or a power to be exercised, by a Standing Committee," etc., "a majority of the said members, the whole having been duly cited to meet, shall be a quorum; and a majority of the quorum so convened shall be competent to act, unless the contrary is expressly required by the Canon."

And I beg leave to call the attention of the chairman of the committee reporting now to the twenty-ninth page, fourteenth line, under sub-section five, where the phrase used in a parallel case is, "This testimonial shall have the signatures of all consenting to it"; and if that phrase were substituted for "participant in such action," I here suppose there would be little or no objection. I would beg to suggest that to the chairman of the committee, so as to read, "by a certificate bearing the signatures of all the members consenting to it," as in the other case.

The Rev. Dr. DALZELL, of Louisiana. If the reverend gentleman suggests that, in lieu of my amendment, I am happy to accept it. That will meet the point.

The Rev. Dr. HARE, of Pennsylvania. I will accept it with pleasure. It will express exactly the sense now imported, as I understand.

Mr. McCRADY, of South Carolina. Still it would leave this question: does it require a majority of the Standing Committee, or only a majority of a majority? We have always considered hitherto that when the Standing Committee had to do any act it was a majority of the whole body that

was required to do it. Now when you say "a majority of those present," if you have ten, as we have, six would be a quorum, and four would make a majority of the quorum, but would be a minority of the whole. Will that do?

The Rev. Dr. BURGESS, of Massachusetts. I would suggest that on that same page from which the deputy from Pennsylvania has read, in the second line of the fifth sub-section, the declaration is made, "A majority of the committee consenting." Then in the fourteenth line, "The testimonial shall have the signatures of all consenting to it;" so that it establishes in that case that a majority of the committee have consented.

The Rev. Dr. HARE, of Pennsylvania. May I interrupt the gentleman for one moment to say that the amended copy will not read at that point, when the Secretary comes to it, as my reverend brother has read it, but it will read on page 29, in sub-section 5, "The Standing Committee, on receipt of such testimonials, may, at a meeting duly convened, a majority of all the committee consenting," etc.

The Rev. Dr. BURGESS, of Massachusetts. That is the way I wish to have this now. I wish this section that we are upon to declare distinctly, according to the practice of the Church for many years, that a majority of all the members of the Standing Committee shall sign the testimonial, and not a majority of a majority. It is very easy to accomplish it by saying, "by a certificate bearing the signatures of a majority of all the members."

The Rev. Dr. HARE, of Pennsylvania. I second that, for it comes to the same thing.

The Rev. Dr. LEWIN, of Maryland. It seems to me that the gentleman who has just spoken, as well as my friend from Long Island, based their arguments entirely upon their practice. Their practice may be very good for them, but it is not exactly in accordance with the requirements of the Canon provided by the Church, Canon VII. of Title III., has already been read by the learned deputy from Pennsylvania. There it is said that the Standing Committee, whenever it performs any act, must be duly convened. "A majority of said members, the whole having been duly cited to meet, shall be a quorum, and a majority of the quorum shall be competent to act."

The Rev. Dr. BURGESS, of Massachusetts. May I turn my respected friend to Canon 7, Title I., at the top of page 33—"which shall be signed by the names of a majority of all the Committee." There can be no question what the Church has constantly required, and what her practice is.

The Rev. Dr. PERKINS, of Kentucky. I understand the reverend gentleman from Louisiana, who has offered the amendment, is perfectly willing to accept the amendment suggested by the deputy from Massachusetts, and it seems to me to cover all the difficulties of the case. The last candidate who was recommended for Orders in the Diocese of Kentucky by the Standing Committee, was recommended by a majority of the Committee, that ma-

jority composed of all the members of the Committee who were present. Our Committee consists of five members. There were three present. The three present recommended the candidate for Orders. If it required that all the members of the Standing Committee should sign, as this Canon provides—though the Chairman of the Committee, I believe, explains it otherwise, but the language is ambiguous, at any rate, and open to different constructions—then that candidate could not have been recommended. If it required only, as the deputy from Louisiana has suggested, a majority of those present and participating in the action, then he might have been recommended for Orders, by a majority of the Standing Committee.

Now, if we amend it as has been suggested, so as to read, "bearing the signatures of a majority of the Standing Committee," it seems to me it relieves all the difficulties of the case.

The PRESIDENT. The question is on the amendment proposed by the gentleman from Massachusetts.

The Rev. Dr. LEWIN, of Maryland. I would direct the attention of my friend from Massachusetts to the last clause of Canon 7, of Title III. There it is specially enacted that whenever a Canon expresses to the contrary, the previous portion of that Canon is not applicable. The Canon to which he referred me expresses positively that a majority of the whole committee shall sign. It is not at all applicable to the case now under consideration.

The Rev. Mr. CURRIE, of Rhode Island. Suppose the case of a Standing Committee consisting of seven members; occasion is taken, when two of those are absent on some necessary business, to bring forward a candidate; those persons who are absent on necessary business it is known will reject the young man who applies for Orders; five members of the Standing Committee now convene. Suppose that two of those members so convened do agree with the opinion of those who are absent and are opposed to the young man, yet while there is a majority of the Standing Committee actually opposed to granting the certificate, the majority of a quorum grant it, and so we have a certificate granted to a young man for Orders by a minority of the Standing Committee.

The Rev. Dr. PERKINS, of Kentucky. This amendment requires a majority of the members of the Standing Committee.

The Rev. Mr. CURRIE, of Rhode Island. Is that required?

The PRESIDENT. That is the amendment to be submitted to the House. The question is on the amendment of the gentleman from Massachusetts to strike out the words "members participant in such action" and to insert "a majority of all the members of the Committee."

The amendment was agreed to.

Mr. STITH, of Mississippi. I move to add this clause to that Canon:

Provided, That if any member of the Standing

Committee refuse to sign such testimonial, he shall transmit to the Bishop his reasons for such refusal, in writing.

A case may happen—and I have occasionally seen it, and that is the reason I make this suggestion—a case may happen where a member of the Standing Committee may refuse because he knows the facts stated on the certificate not to be true relative to the moral character of the applicant. Suppose, under such circumstances, a member of the Standing Committee has personal knowledge of a fact which would preclude him from signing the testimonial, and yet the other members decline to act on his statement in reference to it, should not the matter be brought before the Bishop by a statement of the facts from him as to what his personal knowledge was? The ultimate action here is to be taken by the Bishop. And it does seem to me that where there are objections on the part of any member of the Standing Committee, those objections should be presented to the mind of the Bishop, so that he can act advisedly when he comes to approve the application. I know of a case where a member of the Standing Committee actually resigned his position before he would sign testimonials, and another member was appointed who did sign. It does seem to me that where he felt that such a press was laid on his conscience that he could not sign, and thought proper to resign rather than do it, such weighty reasons should be laid before the Bishop before final action was taken.

The PRESIDENT. If no other gentleman states anything about this proposition, I will call the attention of the House to the fact that, by adopting this amendment, a man might be subjected to a civil suit or to a criminal prosecution, with no mode of defence. The question is on the amendment.

The amendment was rejected.

Mr. McCRADY, of South Carolina. I wish to ask the committee one question. I understood, from the gentleman who has charge of this Canon, that nothing has been changed out of design. Now, here I observe that there is a change in this Canon in a particular which, as I understand it, is very material. "The Standing Committee, on the receipt of such testimonials, or in its discretion on the personal knowledge of its members, being duly satisfied"; not that the applicant is a fit and proper person, but "being duly satisfied that there is no sufficient objection." You change the whole language. You turn us around. When we come to this certificate, we must know of some sufficient objection. But suppose I am not sufficiently persuaded to sign. There is a very material difference. I have heard it argued, "Why, here are the testimonials, you must sign." This language will give great confidence to that argument. When I am asked why I do not sign, my answer is, that I am not satisfied. But they ask, "What objection have you?" "Well, I have not got any objection; only I do not think I ought to sign." Still, I cannot allege an objection. That is the view which strikes me. But if it is now understood that the

word "may" covers the whole of that entirely, then I shall not persist in the objection.

The Rev. Dr. BEAC'', of New York. I suggest that where a gentleman is at liberty to sign or not, as he pleases, as he is according to the terms of this Canon, and will not sign although he has no objection whatever to signing, it is a case that you cannot reach by Canon.

The Rev. Dr. HARE, of Pennsylvania. The gentleman from South Carolina was right in distinguishing between the chairman of this committee and the representative of the committee, for the present occasion. Dr. Haight is the chairman of the committee on the part of this House. With regard to the subject-matter of his question, I will say that in the present Digest, Title I., Canon 2, Section 4, will be found what at present the Standing Committee must certify. It is that, "From personal knowledge, or from testimonials laid before them, they believe that he is pious, sober, and honest; that he is attached to the doctrine, discipline, and worship, of the Protestant Episcopal Church; a communicant of the same, and in their opinion, possesses such qualifications as will render him apt and meet to exercise the ministry to the glory of God and the edifying of the Church." All these particulars are contained in the proposed certificate; but it was conceivable that members of the Standing Committee might feel themselves authorized to sign this paper, for example, in the case of a person who was insane, who had epilepsy, and it was doubted very much whether words ought not to be thrown into the Canon which would point out to the members of the Standing Committee their right and their duty to take into view objections, whether intellectual, moral, religious, or physical. The change proposed was proposed not for the sake of change, but with this design.

Mr. MUDGE, of Massachusetts. It seems to me that the words of this paragraph as they stand give to the Standing Committee exactly such discretion as they should have, and that the words "that there is not a sufficient objection" should remain because there may be objection urged against a candidate which is not sufficient in their judgment, and therefore they sign. I see no reason why this phraseology should be objected to, because in considering such cases as those of us who are on Standing Committees do consider, objections are urged and it is a matter of judgment whether those objections are sufficient. Not finding them sufficient, we sign.

The PRESIDENT. If no further amendment be proposed to this sub-section, the next sub-section will be read:

The SECRETARY read sub-section 7, as follows:

[7.] In the action of the Bishop on the first application of any Postulant for admission to Candidateship, and in that of the Standing Committee on application for its recommendatory certificate, it is always understood, and it is also at proper opportunities to be made known to every Candidate, for whatever Order of the Ministry, and enforced upon

his consideration, that the Church expects of all such Candidates, what can never be brought to the test of any outward standard,—an inward fear and worship of Almighty God, a love of religion, and a sensibility to its holy influences, a habit of devout affection, and, in short, a cultivation of all those graces which are called in Scripture the fruits of the Spirit, and by which alone His sacred influences can be manifested.

No amendment being proposed, the first sub-section of Section 4 was read as follows:

§ IV. [1.] Upon receipt of a Certificate from the Standing Committee, recommending a Postulant for admission to Candidateship, the Bishop shall cause such Postulant to make signification of his intention, whether it be to become a Candidate for the office and administration of a *Deacon only*, or to be a Candidate for the *Priesthood also*.

The Rev. Dr. RICHEY, of Minnesota. I would move instead of the words "to become a candidate," in line 5, to substitute "to be examined for the;" and in the 6th line in lieu of the words "or to be a candidate for" to insert "or to be examined for." My reason for this change is to establish what I think is a very important principle with regard to the motive which ought to inspire young men in seeking to be admitted as candidates for Holy Orders. It will be observed by looking at the next sub-section, that the distinction made between the candidateship for the priesthood and that for the diaconate is, that in the one case there is a requirement of intellectual qualifications as the title for admission. In other words, the difference as recognized here between the candidateship for the diaconate and the candidateship for the priesthood is simply that in the case of the priest he shall have certain intellectual and literary qualifications that the deacon has not.

Again, according to the present arrangement, by looking on page 7, at sub-section 5 and looking upon page 8 at the 1st sub-section of section 5 it will be seen that it is not specified in this Canon that in the case of a candidate for the priesthood he shall possess those qualifications which we regarded as necessary for the candidate for the diaconate. In other words, all that is required of a candidate for the priesthood is that he shall have received his degree in arts, and it is not required of him, as in the case of a candidate for the diaconate, that he shall have any training in the art of reading aloud, or such general acquaintance with the Holy Scriptures and Book of Common Prayer as justify the expectation of usefulness in the office of a deacon.

I do not agree with the principle, I never have agreed with the principle that it is right to allow a young man to present himself as a candidate for the priesthood until he shall have first proved himself in the order of the diaconate and have established for himself a good degree. I would put, therefore, all persons applying for admission to the sacred ministry, upon the same basis. I would not admit the principle that a man may be made a priest because he has intellectual and literary qualifications, and a man shall be kept in the diaconate because he has not intellectual and literary qualifications. But I should enact from the very outset the principle that before a man shall presume to offer

himself for the priesthood he must have established for himself a good degree in the office of the diaconate, and that it is not for himself to be the judge of that degree, but it shall be for the Church to advance him when he has established for himself that degree.

It will be seen then that by the simple substitution of the word "examine" or "passed an examination for," instead of "candidate for," this principle will be established, that a man is not at his option at the outset to present himself as a candidate for the diaconate or as a candidate for the priesthood, but he is to present himself and pass his examination for the diaconate or to pass his examination for the priesthood. Then on page 7 at the end of sub-section 4, I would add to the whole of the section this proviso: "Provided, That no person shall be admitted to the order of priesthood without having passed the examination required for the diaconate," and move that the whole of sub-section 5 be entirely stricken out. My present motion is, instead of the words "become a candidate," in this sub-section, to insert the words "pass the examination for," and so throughout in what follows.

The Rev. Dr. HARE, of Pennsylvania. If there is any other gentleman in favor of this—"No." "No.") Then I will say nothing.

The PRESIDENT. The question is on the amendment of the Deputy from Minnesota.

The amendment was rejected.

The Rev. Dr. HOWE, of Pennsylvania. Now, I ask whether the Chairman is disposed to substitute the word "require" for the word "cause" in the third line of this sub-section? It might be difficult to cause a man to do a thing, while at the same time it might be perfectly easy to require him to do it.

The Rev. Dr. HARE, of Pennsylvania. My friend and colleague is always so courteous that I can hardly refuse anything he asks.

The Rev. Dr. HOWE, of Pennsylvania. I move the substitution I have stated, viz.: to strike out "cause" and insert "require."

The amendment was agreed to.

The Rev. Dr. ADAMS, of Wisconsin. Mr President, I move in that sub-section, that the word "only," in the fifth line, and the word "also," in the sixth line, be stricken out, and I will state the reason for this amendment: Some thirty years ago there got an idea into the Church that we should have an order of permanent deacons, men who should be deacons by their own operation and by the action of the Church, permanently and for life, and never should reach to the priesthood at all.

This matter is very confusing to us all around. I was in the Standing Committee of the Diocese of Wisconsin at that time, and the first shape in which it was put out was that it should take place in case the Standing Committee agreed to it. Our Standing Committee determined that we should never have it. Then it was put in another shape; that is to say, that restriction was stricken out, and the consequence was that we had a quantity of what were called permanent deacons, men who had no qualifications for the priesthood but ignorance (laughter), and those men were called, very irrev-

erently, I believe, but nevertheless according to the fact, "ignorant deacons."

The reason that I move this amendment is because these words "only" and "also" in this connection are the last remains of that idea. I think there can be no such thing as a permanent deacon in the Church; there can be no such thing as a man who being ordained deacon shall continue permanently so, except by his own free will. We can continue, if we are ordained deacons, by our own wish, deacons for life, as St. Laurence and other eminent men continued, but the idea of bringing it into a Canon, making an arrangement that it should be so, is an absurdity, and is contradictory to the very office by which deacons are ordained, because in the prayer which the Bishop uses in reference to deacons in the Church, he speaks in this way:

"We beseech Thee, O, Lord, to make them modest, humble, and constant in their ministrations; to observe all spiritual discipline, that they, having the testimony of a good conscience, and continuing ever stable and strong in Thy Son, Jesus Christ, may so well behave themselves in this inferior office that they may be found worthy to be called to the higher ministrations of this Church, through Thy Son, our Saviour Jesus Christ, to whom be glory and honor without end."

The very form of ordination of deacons in our service takes it for granted that each of them who is so ordained has a right, by the fact that he is constituted a deacon, to be called to the priesthood or to the Episcopate, and that the only restraint upon him is not a canonical restraint, but is simply a restraint according to his own wish. I think that to put forward this canon in its present shape and ask a man whether he is candidate for the office of a deacon only, or a candidate for the priesthood also, is simply unconstitutional according to the idea of deacon, and according to the Office of Ordination that is established in our Church. I think it should be left to the man himself, and I think that this Church has put distinctly before its mind the idea of what a deacon is and what a deacon ought to do without inserting in its canons or in its arrangements a matter which is wholly and entirely unconstitutional; and I conceive is not only so but is derived from the ideas of Congregationalism,—the Congregationalists holding that a deacon is a mere layman, who is an officer in a particular parish or congregation for doing certain work.

I therefore think that this Convention will fully and distinctly see that this word "only" alludes to that Congregational idea, that it is incongruous with our idea of a deacon, and that the idea which is in our minds is sufficiently provided for without introducing these Congregational and I will say abnormal and incongruous ideas. My motion is that the section shall read:

"Whether it be to become a candidate for the office and administration of a deacon, or to be a candidate for the priesthood."

The Rev. Dr. HARE, of Pennsylvania. Before this question is taken I beg that the members of the House will kindly consider whether the matter on page 8, sub-sections 3 and 4 does not meet the substance of the objections of the learned clerical

deputy from Wisconsin. It is there provided that a person who has declared his intention to be a candidate for Deacon's Orders may become a candidate for Priest's Orders by signifying to the Bishop, etc., and in the next sub-section that a deacon may be submitted a candidate for Priest's Orders in the same manner, so that the proposed Canons are more free from objection with regard to the point I understand the gentleman to make, than the present Canons. The present Canons do not allow a mere candidate for the diaconate to be received as a candidate for the priesthood if he require a dispensation. There is nothing in the amended code to that effect. The Scriptures encourage the deacon to look to a higher degree; the Prayer Book does the same; and there is nothing anywhere in this project of Canons that does otherwise.

The Rev. Dr. RICHEY, of Minnesota. I submit that the objection is not met as made by the deputy from Wisconsin. His objection is substantially the same as my own and he seeks to attain exactly the same end that I sought to attain in a different way. We object to the principle that there should be two orders of deacons in the Church, that one of those orders should be regarded as ignorant men, and the other should be regarded as better qualified for their work, because they have simply intellectual qualifications. But the principle which we seek to touch is this, that merely intellectual qualifications as such, are not the only things required for a man to be advanced to the order of the priesthood, and that if in the diaconate, though a man do not possess the intellectual qualifications, still if he is found worthy in other degrees that he, just as much as the man who has the literary qualifications, is to be advanced to the order of the priesthood. We seek to strike at that principle.

The PRESIDENT. The question is on the amendment of the deputy from Wisconsin to strike out the word "only" from the 5th line and the word "also" from the 6th line.

Mr. CARTER, of Maryland. I did not mean to take any part in this debate, so far as perfecting the Canon in its verbiage was concerned; but this is an amendment that strikes at a very vital principle. I do not know that while the amendment has been read, the members of the House have given it attention; but it strikes at a very vital principle that has heretofore been established in the Church, and established at a time when our Conventions certainly were composed of very learned and very able men. If the Convention have considered the question, and are prepared to reverse that policy, they will of course do it; but I consider that, having had my attention called to it, I should be derelict in duty, as no one else seems disposed to say anything about it, if I did not call attention to the proposition.

The Canon which we are now considering is a very lengthy one; but the Convention, if they will cast their eyes through the few following sections, will perceive that the Canon is drawn, in nearly the whole of it, on the recognition of the very distinction which the learned deputy from Wisconsin and the learned deputy from Minnesota would have struck out of this Canon. What is that, Mr.

President? It is that it is the policy and wisdom of the Church to allow young men to be ordained as deacons who do not possess such knowledge as the Church requires that they should possess, if they intend to follow up their ordination to the diaconate with ordination to the priesthood.

The Rev. Dr. HALL, of Long Island. Will the gentleman allow me a moment, as I think it may save time? We have but an hour left of to-day's session, and we have twenty-six pages yet to go through; we have had one vote on this matter, and voted it down very decidedly; I do not think we need discussion. I think we all understand perfectly what this thing means, and will vote it down.

Mr. CARTER, of Maryland. If that understanding is correct, I am perfectly willing to forbear discussion; but inasmuch as there was no opposition to the amendment, from the respected chairman of the committee, and as two distinguished clerical deputies, the one had moved it and the other had advocated it, and nobody said nay; judging from my own experience in matters of this kind, I thought it would probably be adopted, as the chairman did not even signify his dissent from it. But if that is the opinion of the House, that the amendment will not carry, I will most cheerfully forbear all comment. ["Question!" "Question!"]

The PRESIDENT. The question is on the amendment proposed by the clerical deputy from Wisconsin.

The amendment was rejected.

The Rev. Dr. WATSON, of North Carolina. Now I move to substitute for the word "administration," in line 5, the word "ministration," in order that the section may conform to the Ordinal.

The Rev. Dr. HARE, of Pennsylvania. I have no objection.

The amendment was agreed to.

The SECRETARY read sub-section 2, as follows; [2.] If the Postulant desire to be *Candidate for Priesthood*, as well as for the Diaconate, he must lay before the Bishop a satisfactory diploma, or other satisfactory evidence that he is a graduate in Arts of some University or College in which the learned languages are duly studied; and if the Bishop be not fully satisfied of the sufficiency of such diploma, he may remit the same, for consideration and advice, to the Standing Committee of the Diocese.

No amendment being proposed, sub-section 3 was read as follows:

[3.] But if the Postulant desiring to be a Candidate for the Priesthood be not a graduate as aforesaid, he shall be remitted by the Bishop to the Examiners of Candidates for Priesthood, as prescribed in the Canon of Examinations. In case of emergency, the Bishop may appoint any two or more learned Presbyters to hold such examination.

The Rev. Mr. GILLESPIE, of Michigan. I move to strike out the words "examiners of candidates for priesthood," in order to leave untouched at this stage of discussion the question whether there shall be a board of examiners as provided for in the 4th Canon. This seems to suppose that such a board will be appointed. Canon 4, Section 1, says that "in each diocese there shall be a board of examiners for Holy

Orders, consisting of three or more learned presbyters," and goes on to say how that board shall be appointed. It is a very grave question whether there shall be an actual board of examiners or whether clergymen shall be appointed from time to time as necessity may arise. It seems to me that the language of the section now before us binds us to the appointment of such a board, so that when we shall come to the examination of the 4th Canon if we strike out the board in that case we shall have to go back and alter this language.

The amendment was rejected.

The Secretary read the next sub-section as follows :

[4.] If on satisfactory evidence of a degree in Arts, or report of satisfaction by examiners, the Bishop may, after personal conference with the postulant, admit him to be a *candidate for Priest's Orders*, and shall thereupon record his name, with the date of admission, and such other particulars as may be deemed expedient in a book to be kept for that purpose, and forthwith give the candidate written notice of such record.

No amendment being proposed, the next sub-section was read, as follows :

[5.] Such admission and notification of a candidate for priesthood is his sufficient admission as *candidate for the Diaconate*, from the date of such admission and record.

No amendment being proposed, the next sub-section was read, as follows :

[6.] With the notification of his admission, every candidate for Priest's Orders shall also receive from the Bishop the assignment of texts of Scripture, upon which he is expected to prepare discourses for presentation at his examinations.

No amendment being proposed, the first sub-section of Section 5 was read, as follows :

§ V. [1.] A postulant for admission to candidature desiring to become *candidate for the office and administration of a Deacon only*, must present to the Bishop, at the time of signification of such desire, certificates from two or more learned presbyters, that on their personal knowledge of him, and actual examination for further satisfaction, they deem him to possess such personal qualifications, and to have attained such proficiency in the English language and learning, and in particular in the art of reading aloud, and such general acquaintance with the Holy Scriptures and the Book of Common Prayer, as justify the expectation of his usefulness in the office of Deacon, when thereto admitted, after due trial and preparation in his candidateship :

Provided, always, That in the case of a postulant proposing to minister in a congregation worshipping in a language other than English, testimony of proficiency in the English language may be dispensed with.

The Rev. Dr. HOWE, of Pennsylvania. We have stricken off the syllable "ad" before "ministration" in one case, and I suppose it would be the wish of the Chairman to do it in this also.

The Rev. Dr. GOODWIN, of Pennsylvania. I call attention, however, to the fact that in one of the collects among the special prayers we are accustomed to pray for God's grace for "all who are called to any office and administration in the same." I do not see the need of chopping up words here.

The Rev. Dr. WATSON, of North Carolina. I move to amend this sub-section by striking out the word "administration" and inserting "ministration"

The amendment was rejected.

The Rev. Dr. HOWE, of Pennsylvania. Now I hope this syllable "ad" will be restored in the other case, so as to make the two correspond. It is preposterous to strike it out in one case and retain it in the other.

Mr. LIVINGSTON, of New York. It strikes me that it is entirely immaterial. We are called upon to criticise the acts of this committee on letters and syllables. The House, I think, are tired of this, and sensible amendments are voted down because amendments of a trifling character, simply philological, are presented for us to hear discussions upon and to vote upon.

The Rev. Dr. LEWIN, of Maryland. The collect in the service for the ordination of Deacons contains the very word "administration."

The Rev. Dr. HALL, of Long Island. I move to strike out the words "in particular" in the 9th line. It seems to me rather a curious reading, to say that a young man shall have certain qualifications "and in particular the art of reading aloud."

The Rev. Mr. GASMANN, of Nebraska. I think it is very well that the Canon should remain just as it is in this respect. I have known a case of this kind where a man could pass, and did pass, his examination in every respect, and so passed into the ministry, who was not able to read aloud properly. I think that particular examination and particular attention should be called to that matter. It is a well known fact that reading aloud properly in our Church is a very important matter, and I think it well that particular attention should be called to it.

The Rev. Dr. HALL, of Long Island. The words "in particular" in this connection, qualify the "arts of reading aloud" and do not qualify the rest of the sentence. A man may have an ordinary knowledge of Holy Scripture, he may know a little of the Book of Common Prayer; but he must be very careful to be able to read aloud! That is the meaning of it evidently.

The Rev. Dr. HARE, of Pennsylvania. I knew of a clergyman who read, that on that night Peter was lying between four quarter nations of soldiers (laughter), and of another, ordained, I believe, under the dispensing Canon, who, reading from a Bible in which the "s" was printed in the old fashioned way, the way in which it might be mistaken for "f," read the words "what mean ye when ye hear this proverb concerning the children of Israel? The Fathers have eaten *four* grapes (laughter), and the children's teeth are set on edge." Now, sir, the House seems to have gone high toward establishing the principle that the doors of the Church shall be thrown open wide, so far as the Diaconate is concerned. It will defeat an object which lies dear to the hearts of those who propose this, for they cannot, at the very outset when a man proposes himself as a candidate for the Diaconate be satisfied that he can, in particular do this thing,—avoid the reading of "quarter nations" for "quaternions" and "four grapes" for "sour grapes." (Laughter.)

The Rev. Dr. VINTON, of Massachusetts. I am not quite sure that the phraseology expresses all that it was meant to do. "The art of reading aloud," a person may understand, and yet not be able to practise it. The requirement is, that he must be excellent, as to "the art of reading aloud." There are certain theoretical rules as to reading aloud, which a person may understand, and not be able to put one of them in practice. With regard to the necessity of the re-

quisition, I agree entirely with the gentlemen who have spoken, and I hope the phrase "in particular" will be retained. I do not agree with the criticism so commonly made by the laity upon the reading of our clergymen. I think they read better than any class of men that could be picked one of the community, taken at haphazard. Lawyers, doctors, merchants, or any other class of laymen read, as a class, much more poorly than clergymen as a class. Now, does this requisition meet the cases mentioned by the gentleman from Pennsylvania? I have heard of some bad readings too; and I do not know whether they would be prevented, by understanding what is required here. If a phrase could be adopted, which would denote more skill in reading aloud, I think it would hit the idea we are after.

Mr. LIVINGSTON, of New York. Suppose we say, "attain such proficiency in the art of reading aloud as justify," etc.?

The Rev. Dr. HARE, of Pennsylvania. I have no objection to that.

The Rev. Dr. VINTON, of Massachusetts. If "proficiency in the art" means "skill in the use of the art," very well. You can find in Rush's book on the Voice, all the directions as to the best way of reading aloud. A man may read them and understand them perfectly, but when you put him to the test, it may prove an utter failure.

The Rev. Dr. HARE, of Pennsylvania. Is not that the science?

The Rev. Dr. VINTON, of Massachusetts. "Art and practice" would be better. It seems to me this language does not quite hit the point we are after.

The Rev. Mr. MAGILL, of Indiana. I hope these words will be stricken out. It will still be required of every candidate, that he should have acquired proficiency in the art of reading aloud, but no special reference will be made to that particular subject, which I think is a point well taken by the deputy from Long Island. The word, "art" is however, a proper word. If I understand the distinction between science and art, it is this: that science is simply the knowledge of a thing, while art is the carrying of that particular thing into practice. I think, therefore, the word "art" sufficiently explains what is designed by the committee.

The PRESIDENT. The question is on the amendment proposed by the deputy from Long Island, to strike out the words "in particular" in the 9th line of this sub-section.

The amendment was rejected.

The Rev. Dr. BURGESS, of Massachusetts. In the 5th line of this sub-section, the word "learned" is used before "presbyter". I said nothing on this subject, when this word was used in a preceding section, because there learning would seem to be necessary; but here, in order to ascertain, whether a man can read aloud, certificates are to be obtained from "learned presbyters." It may require some learning to ascertain, whether he can read or not; but to ascertain, whether he can read aloud, would not require much learning. It does not require any great amount of learning to determine all the facts which are stated in this whole section. There might be many cases, especially where our Church is spreading so widely, as it is now spreading, in which it would be difficult for a candidate to procure the testimony of such presbyters, as would be declared to be learned presbyters. Hence, I move to amend, by striking out the word "learned" in that case.

The amendment was rejected.

The Rev. Dr. VINTON, of Massachusetts. It seems to me that the word "practice" would be better than "art," or, perhaps, both might be used. I move to insert "and practice," so as to read, "art and practice of reading aloud."

The amendment was rejected.

The next sub-section was read as follows:

[.] The Bishop, upon receipt of such certificates, may admit a Postulant recommended by the Standing Committee as a *Candidate for Deacon's Orders*, and shall thereupon record his name, with the date of admission, and the names of the presbyters, his certifiers, in a book to be kept for that purpose, and notify the candidate of such record.

The Rev. Dr. BURGESS, of Massachusetts. I call attention to the use of the word "certifiers," though I do not wish to be particular about these things. It is not a word to be found in the dictionary; and it seems to me a great deal better to use the word "certifiers," or "signing such certificate" I move to amend the clause by striking out the words "his certifiers," and inserting, "signing such certificate."

The amendment was agreed to.

The next two sub-sections were read as follows:

[3.] A Candidate for Deacon's Orders may become a *Candidate for Priest's Orders* by signifying to the Bishop his desire to be admitted such candidate, complying with the provisions of § IV. of this Canon, and obtaining from the Bishop admission and entry in the proper record. His candidateship shall then date from the time of such admission and entry, as notified by the Bishop.

[4.] A Deacon may be admitted candidate for Priest's Orders in the same manner.

Sub-section 1. of Section 6 was next read as follows:

§ VI. [1.] When a Postulant for admission as a candidate for Priest's Orders wishes a knowledge of the Latin, Greek, and Hebrew languages, and other branches of learning not strictly ecclesiastical, to be dispensed with, he shall communicate his wish to the Bishop.

No amendment being proposed, the next sub-section was read as follows:

[2.] If the Bishop, on consideration of the circumstances of his case, encourage him to proceed, he shall procure and lay before the Standing Committee a testimonial, signed by at least two presbyters of this Church, certifying that in their opinion the Postulant possesses extraordinary strength of natural understanding, a peculiar aptitude to teach, and a large share of produce, and adding any other reason for dispensation which they may believe to exist.

The Rev. Mr. BUEL, of Albany. I wish to suggest an amendment to that section, that I have found to be required by my own experience under the old Canon, which contains the same words. We ought not certainly to require from presbyters of this Church certificates which it must in nine cases out of ten, or in ninety-nine cases out of one hundred, strain their consciences to give. Here we are required to testify in regard to a class of men who wish to have all literary qualifications dispensed with, who are usually plain, good men, men of good sense, that they have "extraordinary strength of natural understanding." I move that those words be left out, and that we substitute these: "certifying that in their opinion the postulant possesses good common sense, and aptitude to teach." That is all we want of such men. I understand that my reverend brother from Maryland

has an amendment, which I am willing to accept, which will save going into details.

The Rev. Dr. LEWIN, of Maryland. Let us use this language: "such qualifications as render him apt to teach and be useful in the Sacred Ministry."

The PRESIDENT. What is the precise amendment?

The Rev. Mr. BUEL, of Albany. "Possesses such qualifications as fit him for usefulness in the Holy Ministry, and adding any other reason for dispensation which they may believe to exist."

The Rev. Mr. McKIM, of Delaware. As an amendment to any of these sub-sections is likely to affect the entire structure of section six, I ask that that section be read entire before we proceed to act upon it.

The Rev. Dr. SHAND, of South Carolina. I move to amend by striking out the words "extraordinary strength of natural understanding," so as to read "in their opinion the postulant possesses a peculiar aptitude to teach."

The Rev. Mr. McKIM, of Delaware. I move as a substitute for all these propositions, to strike out the whole of section six of this canon, from beginning to end, and I beg to ask that it be read. Before it is read, I may condense a speech of ten minutes into less than one minute, by saying simply that I am opposed to any alternative mode of admission to the ministry of the Church.

The Secretary read section six of the proposed canon.

The Rev. Mr. SHIPMAN, of Kentucky. I move as an amendment that sub-sections, 1, 2, 3, and 4 of Section 6 be struck out, leaving the 5th sub-section to stand as it is.

The Rev. Mr. BUEL, of Albany. I earnestly hope that this sweeping amendment will not carry. We need such a provision as this section furnishes. We need a Canon which will allow us to receive into the Holy Ministry, men of plain, good sense, men of earnest love for Christ, men of such experience as will fit them for usefulness in some of the walks of the Holy Ministry. A large class of men who come to us from the Methodist Ministry and from the ministry of other denominations are of this sort.

I said that I suggested my amendment from my own experience. I was called upon to give a testimonial in behalf of a man who had for many years been a most useful Methodist minister. I could testify that he was a man of good ability, that he was a man of prudence, that he was a man, from what I knew of his personal character and his large experience in that ministry, fitted to be useful in our Church. I gave such a general testimonial. I could not sign the words required by this Canon. I could not testify that he had "extraordinary strength of natural understanding." I altered the testimonial so that I could conscientiously give it. It went before the Standing Committee of the Diocese of New York, and I believe it was acceptable to that committee, and his subsequent career in the ministry has justified their action in admitting him. We have many such men seeking our ministry, and we need this section of the Canon in order to enable us to receive them. I hope this sweeping amendment will not be adopted, and I shall be glad if my amendment be put.

The PRESIDENT. The question is on the amendment of the gentleman from Kentucky [The Rev. Mr. Shipman].

The amendment was rejected.

The PRESIDENT. The question now is on the

amendment of the gentleman from Delaware, [the Rev. Mr. McKim], striking out the whole section.

The amendment was rejected.

The PRESIDENT. The question now is on the amendment of the gentleman from Albany, [the Rev. Mr. Buel].

Mr. DEROSSET, of North Carolina. I wish to make a suggestion to the reverend deputy from Albany. I think the word "extraordinary" ought to be retained in connection with other words. There should be some extraordinary qualifications to justify the granting of the dispensation asked for. I therefore suggest to my friend from Albany to modify his amendment so as to make the clause read:

"A testimonial, signed by at least two Presbyters of this Church, certifying that in their opinion the postulant possesses such extraordinary qualifications as would justify the granting of the dispensation asked for."

I think, where certain qualifications generally considered necessary are asked to be stricken off, there should be other extraordinary qualifications to justify the authorities in striking them off.

The Rev. Dr. LEWIN, of Maryland. I suggest to my friend that the last sentence of this sub-section reads: "and adding any other reason for dispensation which they may believe to exist."

The Rev. Mr. DUNLOP, of Missouri. I hope the Canon will be passed as it is. If a man be admitted to the ministry with less education than ordinary, it is right and proper that he should have more common sense than ordinary. If his education be very largely below what the Church requires, then he should have natural ability and common sense in proportion. "Extraordinary" does not mean "very remarkable," but simply "more than ordinary," "more than we commonly meet with." If a man has no education scarcely, it is very important that he should have a large share of common sense. It does not mean that he must be a prodigy, that he must be a genius, but that he must be more remarkable than the majority of men for common sense in order to be useful in the ministry.

The Rev. Mr. BUEL, of Albany. My amendment is to make the clause read, "certifying that in their opinion the postulant possesses such qualifications as fit him for usefulness in the holy ministry, and adding any other reason for dispensation which they may believe to exist."

The Rev. Mr. McKIM, of Delaware. If a substitute is in order, I move to amend section 6, sub-section 2, by striking out all after the word "Church" in the 4th line and substituting, "certifying any reasons for dispensation which they may believe to exist." This amendment simply leaves out all those expressions concerning an extraordinary strength of natural understanding and a peculiar aptitude to teach.

Mr. BATTLE, of North Carolina. I should like to make a very short speech, which will apply to all these proposed amendments, particularly those which are merely verbal, and that short speech consists in telling a short anecdote.

Once upon a time there lived in the City of Brotherly Love a promising young mechanic, named John Thompson, who, after having served an apprenticeship as a hatter, set up a store for the sale of hats, and to make his business known he desired to have a proper sign. Thereupon he had painted a large sign, "John Thompson makes and

sells hats," with a figure of a hat affixed. He then went about to get the criticism of his friends on the sign. The first friend to whom he applied said, "You might just as well strike out the words 'and sells,' for nobody expects you are going to give away hats." Those words were stricken out. Then he went to another friend, who said, "Why retain the word 'makes?' Nobody cares whether you make the hats you sell, or not; you have got them for sale, and that is all that is necessary to be known." That change was made. One would suppose that that exhausted criticism. But he went to a third friend, who said, "Why have the word 'hats' there? Everybody will see the figure of a hat, and know you have got hats to sell." That change being made, left the sign simply, "John Thompson," with the figure of a hat. [Laughter.]

I think if we adopt all these amendments that are proposed, these Canons will be in the condition of John Thompson's sign.

The Rev. Dr. McNAMARA, of Nebraska. I wish to say a word with reference to this matter. I am very glad to be able to say that our Examining Committees and Bishops and presbyters are far more merciful and kind and considerate than our laws. Our law-makers would have excluded St. Paul himself, for he was small and contemptible of stature, and a very ill-looking person. I am very much in favor of the proposition made by the gentleman from Albany. There is no use in our being so particular about this Canon. Our Bishops and Examiners and presbyters in the charge of schools and colleges will exercise their own judgment in the matter, in the main.

The Rev. Dr. HALL, of Long Island. No better argument could be offered to this body to beware how they laid hands on this matter. I am glad that the gentleman from Nebraska, like Mrs. Malaprop, said one word for himself and two for the other side, in all that he said. This is the most radical movement we have had yet, and, to my mind, the most dangerous ever advocated here by gentlemen who have spoken. If we are to change this Canon in this way, let us at once change the hour of adjournment and go into a debate of it. The direct action of this amendment must be to lower the tone of learning of the ministry, and you have just heard the argument offered by one of its friends, showing that, if you lower the law, they will lower it down still further, until at last, we shall have the proposition made by every man who wants to come into our ministry to dispense with these learned qualifications. This, sir, has been the history of the Church and the law of the Church from the beginning; this is incorporated into the very foundations of our ministry; and you may depend upon it, if we pass this amendment and erase the requirements of this Canon, the Canon will be sent back to us by the House of Bishops, for I do not believe any man supposes that they will be willing to enter into such action as this. It seems to me a dangerous thing that we should attempt to

tamper with the matter and remove these restrictions. If we are to do it, while I am on the floor I move that the rule of order requiring an adjournment at 3 o'clock be suspended for this day.

The Rev. Dr. McNAMARA, of Nebraska. I do not mean to lower the qualifications for the ministry at all. We have got our regulations. There will be men seeking large parishes in New York, and Long Island, and Philadelphia who will possess all these great qualifications; but there are souls perishing away out among our missionary districts and it will not be necessary for us, in their case, to have such restrictions as these. Men who are ambitious and desirous of these important positions will qualify themselves accordingly.

The Rev. Dr. HALL, of Long Island. I submit a motion that the rule of order requiring an adjournment at 3 o'clock be suspended for to-day.

The motion was agreed to.

The Rev. Dr. PADDOCK, of Long Island. I desire to say in one single word that I believe we can adopt an amendment which will satisfy all parties. I ask the Chairman of the Committee, who has brought in this Canon, to give careful attention to this, and I ask other gentlemen. I shall make no speech on the subject. The intention is to guard against admitting too freely and to remove the existing stringency of the present language, which has troubled very many presbyters besides those who have spoken. My resolution is to amend sub-section 2 of Canon 6, as follows: Strike out in the 5th line the word "extraordinary," in the 6th line the words "a peculiar," and in the 7th line all after the word "prudence," and add "such other qualifications as fit him for usefulness in the sacred ministry," so that the section will read:

"If the Bishop, on consideration of the circumstances of his case, encourage him to proceed, he shall procure and lay before the Standing Committee a testimonial signed by at least two presbyters of this Church, certifying that in their opinion the postulant possesses strength of natural understanding, aptitude to teach, and a large share of prudence, and such other qualifications as fit him for usefulness in the sacred ministry."

I ask, before I sit down, whether the Chairman of the Committee is disposed to second that amendment?

The PRESIDENT. The amendment would not be in order now.

The Rev. Mr. BUEL, of Albany. I would gladly accept it in lieu of mine, if that would place it in order before the House.

The Rev. Dr. HARE, of Pennsylvania. I cannot accept it, though I feel very much pained at not being able to accept anything which comes from the lips of that most able gentleman and most useful member of this House. I cannot accept it for this, among other reasons, that I cannot too hastily or rudely undo that which was done by our grandfathers. It was, I believe, the same Convention which ratified our present Constitution, the Convention of 1789, which introduced the form of

words now to be found in our Digest, and to be found, also, in this project, only then it was more stringent, because it was required that the person applying should obtain this certificate from the convention of the diocese to which he belonged, two thirds of that convention voting in its favor. The law (for the Committee propose no new thing here), has not been so stringent as to do, by its stringency, any harm to our Church. Of those who have been admitted under the dispensing Canon, some, no doubt, have been, as my reverend brother from Albany has said, acquisitions to the Church; many have been the very contrary. I could not do anything that would tend to diminish the force of this time-honored and, as it seems to me, most invaluable provision of our present Canon Law.

The Rev. Mr. GILLESPIE, of Michigan. When the gentleman from Albany used the word "conscience," I felt the force of it. I have been called upon often, as a member of a Standing Committee, to sign such testimonials as this, and I must say my conscience always troubled me. I cannot understand why, when we have dispensed with the knowledge of the Latin, Greek, and Hebrew, we should declare a person to be a man possessed of extraordinary natural understanding, and so on. I do not care which of the amendments is carried, but I do hope some amendment will be carried that will relieve us from what is really a difficulty of conscience.

The Rev. Dr. SCHENCK, of Long Island. I do not see how the question of conscience can come up here. The amendment of this Canon is written in plain English. It is written in very strong terms, evidently with a design to present that which should be regarded as an equivalent to classical attainments. If a man knows nothing of Latin, if he cannot read the Greek Testament, if he has no knowledge of the Hebrew tongue, it is taken for granted that he is wanting in what are regarded as certain essential elements of preparation for the preaching of the Word. Now, there are circumstances which justify a man's introduction to the sacred ministry where these requirements shall be dispensed with, and those circumstances are described in this sub-section of the Canon. Where, by reason of the peculiar situation of the applicant, he has not been able to acquire these elements of preparation, and yet has, at the same time, these other peculiar gifts and graces, there is good reason why he should be introduced to the ministry upon this other basis. It is designed to be exceptional. It is not designed to present an ordinary basis upon which an applicant is to stand, but to be thoroughly exceptional, and therefore very extraordinary words are used, and very extraordinary requirements are here cited.

Why need there be any case of conscience on the part of those who sign the testimonial? A man either has these requirements, or he has them not. The trouble ordinarily in the matter is from our being a little weak kneed. Here is a good brother whom we know very well; he belongs to our con-

gregation; he comes to us and he wants to have an ordination under these circumstances. We know him to be a deeply pious man; we know him to be a very zealous, good fellow, and we are desirous to do everything in our power from the terms of our personal communion and friendly feeling, to aid him in the matter; but yet we find when we come to look at the Canon, that he does not come up to the requirements, and there comes the qualm of conscience. It is simply because we do not take the thing precisely as it stands and say, in the face of these requirements, yes or no. It is because we are dallying with our conscience; it is because we are proposing to make to ourselves a certain moral compromise. If gentlemen will only take the Canon precisely as it reads (and I hope it will be re-enacted just as it stands), and when a candidate, or a postulant, or an applicant comes—I do not know which term is exactly right, as all three words I find in the Canon—let him come before the individual who is to make this certification, purely upon his merits, and with no introduction of personal feeling or bias, because of his being related to us in some of the ecclesiastical or personal relations of life.

The Rev. Mr. McKIM, of Delaware. I do not object to the view of the gentleman from Long Island. I can understand that a man may be perfectly qualified to receive the ministry in the Church who has not a knowledge of Latin, Greek, and Hebrew; but why not put it simply and plainly on that ground? Why clothe a man afterward with "extraordinary strength of natural understanding, a peculiar aptitude to teach, and a large share of prudence," when you mean simply that he does not understand Latin, Greek, and Hebrew? I propose simply to strike out those words. It does not affect the first sub-section of the Canon at all.

Mr. WITHERS, of Virginia. I will state that the reason is that it is intended to indicate that he has these extraordinary qualifications as a substitute for the intellectual training which he is presumed to possess if he has a knowledge of the classics. Not having that knowledge, the Church requires from him some evidence that he has such an intellect as would fit him for the ministry, which must be vouched for by these extraordinary attainments.

The Rev. Dr. MORSELL, of Delaware. As a member of a Standing Committee and having occasion to sign the testimonials of persons applying as candidates for Orders. I feel a personal interest in this question. It does seem to me that the Committee that have been appointed by this body have discharged their duty very faithfully; that the numerous amendments which have been offered from time to time have only tended to show the wisdom of the gentlemen who have had charge of this matter. I have been struck during the whole session of this Convention with the fact of amendments that did not amend, of considerations that did not improve.

I am entirely opposed to blotting out this word from its place in the Canon.

I suppose, as a matter of course, that when you speak of extraordinary, you mean that there must

be something more than ordinary; that he must not be a common man; he must not be a person who has only the average ability, while he is destitute of the intellectual training and culture which would fit him for his work. Sir, cases have come under my own knowledge, and I have signed the testimonials of men to be ordained deacons, with lesser or lower qualifications, and I have extremely regretted it. I understand that the House of Bishops have come to the conclusion, after consultation, that that Canon or regulation which permitted them to ordain persons of that character did not answer the purpose, and they have determined to stop it. I know that that has been the case with our judicious and most admirable Bishop in the Diocese of Delaware. I know that in one case I had to press particular consideration upon his mind in order to induce him to do it, and if I had my time to go over again I never would sign such testimonials or use those arguments.

I do not know a great deal of Hebrew, Greek, or Latin. I know very little, I suppose, of either; but what I do know only increases my desire to know more of them. I feel quite sure that in any case where we dispense with these attainments, there ought to be some endowment of nature, some gift of God, some mighty power of speech, some aptitude to teach, something that will fit the man to occupy a conspicuous place before the enlightened public that he is to teach.

There is nothing more common in the history of the Church than to hear people saying that a man is of no account. Why? Because he is always preaching. We live in an age when preaching is undervalued; when to speak of a thing as a sermon is to damn it to oblivion. But, sir, are we to fall in with a current of opinion that would tend to lower the pulpit, that would tend to degrade, instead of raising it up? We want men who are something more than mere manipulating priests; we want men who are something more than mere men who can perform the Sacraments of Baptism and the Lord's Supper with decency, and with a variety of attitudes. We want men who can preach the Gospel. It was the preaching of the glorious Apostles and their extraordinary endowments that converted the heathen wherever they went. It was the thunder of Luther's preaching that made the Reformation the powerful thing that it was. It was the preaching of Bishop Latimer that stirred the minds and the hearts of the English to their depths. It was at a later period the preaching of Whitfield and Wesley that stirred the depths of the English heart and mind. They were graduates; they were men possessed of extraordinary endowments and attainments both of mind and culture. If we have not the culture, we must have the other.

I recollect an instance of a man applying to Bishop Meade, who said that he had a call to the ministry. He told him that he was a good man, and he desired to preach, and his heart led him to the ministry. He was a blacksmith by trade.

"Yes," said Bishop Meade, "John Lindsey, we want good blacksmiths in the Church as well as we want other things." He was a better blacksmith than he ever would have been a preacher. Let us not tempt men to desert the trades in which

they can succeed to come into the ministry where they cannot succeed, by holding out to them inducements that the Church is the place for the weakest and the emptiest of all the vessels that can find their way into it. (Laughter).

Sir, let this Canon stand. Dr. Hare knows what he is doing. He is a professor of theology; he has the training of theological students; and he knows full well from the history of the Church what is necessary. These amendments that are proposed will not improve the time-honored language of our wise forefathers.

The PRESIDENT. The question is on the substitute offered by the gentleman from Delaware, [Rev. Mr. McKim].

The amendment was rejected.

The PRESIDENT. The question recurs on the amendment proposed by the Rev. Dr. Shand, of South Carolina, to strike out the words "extraordinary strength of natural understanding."

The amendment was rejected.

The Rev. Mr. BUEL, of Albany. I should like to know what has become of my amendment?

The PRESIDENT. That is the amendment now in order.

The Rev. Mr. BUEL, of Albany. I accepted the substitute proposed by the reverend deputy from Long Island.

The Rev. Dr. PADDOCK, of Long Island. I will read it. It is in sub-section 2, section 6, line 5, to strike out the word "extraordinary;" in line 6, to strike out the words "a peculiar;" in line 7, to strike out all after the word "prudence," and add "such other qualifications as fit him for usefulness in the Sacred Ministry," so that the clause will read:

"Certifying that, in their opinion, the postulant possesses strength of natural understanding, aptitude to teach, a large share of prudence, and such other qualifications as fit him for usefulness in the Sacred Ministry."

The amendment was rejected.

The Rev. Mr. McKIM, of Delaware. I wish to ask why this learned committee have left out in the fourth line before the word "presbyters," the word "learned," which occurs in other cases in the Canon. They have made "learned presbyters" the judges of those who come regularly into the ministry of the Church; but when a man comes in by this back door, then his case is left to be decided simply by "presbyters" without respect to their learning.

The Rev. Dr. ADAMS, of Wisconsin. I have an amendment to offer, and I beg to say that my amendments are real and not verbal. The amendment I now move, is to insert after the word "certifying," the words, "and declare as before God."

Gentlemen seem to think that we have two classes of presbyters or deacons, the first being a learned class, and the second an unlearned class who have received dispensation. I wish this Convention to understand that we have not two classes. We have but one class, and then we have an exception, and that exception ought to be treated simply as exceptional. Therefore, I think, this description which is given by Bishop White himself, as I understood from Bishop Kemper, that the person who is ordained exceptionally should possess "extraordinary strength of natural understanding, a peculiar aptitude to teach, and a large share of prudence," is a description that is correct and highly scientific in regard to an exception; but, at the same time, I have known, and other presbyters of like

age, in the Church have known, that in these exceptions there are peculiar difficulties.

The difficulty we have known in reference to it is that the clergymen who give such testimonials give them very loosely; they do not give them with a full sense of their responsibility; and therefore we have had men ordained exceptionally to the ministry in all the dioceses of the Church, who do not possess "extraordinary strength of natural understanding, a peculiar aptitude to teach, and a large share of prudence." In other words, owing to the carelessness of the Presbyters of the Church in giving certificates, in reference to this exceptional ordination, we have men brought into the Church as a class who are entirely unfitted to be clergy in any way.

Now, inasmuch as we are the clergy of the Church, as we ought to understand our responsibilities, and it ought to be brought before us clearly in the canon, I propose to make this section read:

"Two Presbyters of this Church certifying and declaring, as before God, that in their opinion the postulant possesses extraordinary strength of natural understanding, a peculiar aptitude to teach, and a large share of prudence."

I think this will save us from a great many men who have been brought into the Church by the carelessness of presbyters in giving certificates.

The amendment was rejected.

Mr. CHURCHILL, of Kentucky. The great stumbling-block in this sub-section appears to be the word "extraordinary." I therefore move that that word be stricken out and the word "great" be inserted. I know the true meaning of the word "extraordinary." The Latin word "*extra*," means simply beyond, and the word "extraordinary" means simply, "beyond what is ordinary;" but when you say a man is an extraordinary man, a great many persons suppose by that, that he is a perfect prodigy, a genius, or something of that kind. The word "great" we all understand. It is more easy of comprehension and better understood generally. I have no particular wish on the subject, but I thought this proposition might meet the views of some gentleman.

The Rev. Mr. GASMANN, of Nebraska. I hope this portion of the Canon will pass just as it stands. Whether it is to apply to the East or to the West, does not make a particle of difference in this question. We require the same kind of ministers in the West that you do in the East; and if anything, we require better men there than you do here. They are in the fore-front of the battle, and they should be men well furnished in every respect to stand their ground, and take their place among men such as they meet. In place of striking anything out here, I should be in favor of providing that this clause should refer to all men coming into the ministry, that they should all have these extraordinary qualifications or be considered unfit, no matter how much Greek or Hebrew they know.

The PRESIDENT. The question is on the amendment of the gentleman from Kentucky (Mr. Churchill.)

The amendment was rejected.

ADDRESS TO THE IRISH CHURCH.

A Message (No. 36) from the House of Bishops was received, announcing that that House had adopted the following:

Resolved, That the Report of the Joint Committee on an Address to the Church of Ireland, be adopted,

and that the Letter appended thereto be communicated to the House of Clerical and Lay Deputies:

(DRAFT OF A LETTER.)

To the Most Reverend the Archbishops, the Right Reverend the Bishops, and the Reverend the Clergy, and the Faithful Laity of the Church of Ireland:

The Bishops, Clergy, and Laity, of the Protestant Episcopal Church, in the United States of America, in General Convention assembled, send greeting:—

We beg to assure you, beloved Brethren, that we have watched with solicitude and fraternal sympathy, the dangerous crisis through which recent events have obliged you to pass. Seldom have graver difficulties or more painful trials been imposed upon any branch of the Church Catholic.

We regard it as an occasion of devout thankfulness to God, that you were enabled by His Holy Spirit to encounter, with so much Christian fortitude and courage, the disasters which threatened you, and to advance thus far and with so much harmony, in effecting the permanent re-organization of the Church.

We are gratified, moreover, to recognize the fact, that the Church of Ireland, while earnestly witnessing to the faith once delivered to the saints and adhering to the Primitive and Apostolic principles, which form our common inheritance and bond of union, have adopted a form of Ecclesiastical organization, so nearly allied to that of the Church in this country, and so fully attested and approved in the progress of our history.

Nor would we fail to recognize your wisdom in retaining the ancient historic name, "The Church of Ireland," a name which recalls great memories of the past, and justifies the hope of an auspicious future.

We cannot doubt that the Church which was the last among the Western Churches to surrender its primitive rights and privileges of self-government, will be found equal to the responsibilities of its present position; and will, notwithstanding embarrassments arising from the laws of its temporalities, be able to strengthen the things which remain, and to recover the influence which once made it illustrious, as a defender of Evangelical truth and Apostolic order among the Churches of Europe.

To these brotherly greetings, we join our fervent prayers, that the Church in America and the Church of Ireland, being united in one Communion and fellowship of Christ, may be workers together with God for the advancement of His glory and the salvation of men, through Jesus Christ our Lord.

Peace be to you and to all the Brethren, and love, with faith from God the Father and the Lord Jesus Christ.

Attest: HENRY C. POTTER,

Secretary of the House of Bishops.

The Rev. Dr. PERRY, of Western New York. In connection with this message, I offer the following resolutions:

Resolved, That this House concurs in Message (No. 36) from the House of Bishops, communicating an address to the Archbishops, Bishops, Clergy, and Laity of the Church of Ireland.

Resolved, That this House adopt such Address, and that the President and Secretary of this House sign the engrossed copy of the same, in the name of the House.

The resolutions were adopted.

POINTING OF CANTICLES AND PSALTER.

The Rev. Dr. Burgess, of Massachusetts, presented the memorial of the Rev. William Cooper Mead, and others, upon the uniform pointing of the Canticles and Psalter; which was referred to the Committee on Canons.

CHURCH STATISTICS.

The Rev. Mr. Spaulding, of Pittsburgh, submitted the following resolution, which was referred to the Committee on Canons:

Resolved, That it be referred to the Committee on Canons to inquire into the expediency of amending Canon 15, Title I, Section 1, by inserting in the 10th line, after the words "members of," the words "baptized members of," so as to bring the same into conformity with Canon 12, Section 5, Title I.

CANONS ON ORDINATION.

The Rev. Dr. HARE, of Pennsylvania. Allow me to ask the attention of the House to the propriety of fixing a time for the continuance of the consideration of the report of the Committee on Theological Education, which we have had up to-day. There are two orders for to-morrow, one for Saturday, and one for Monday. I move that this report be made the order of the day for Tuesday next at 12 o'clock.

Mr. KING, of Long Island. I think we had better take the vote to-day on the whole Canon; and if the House will stand by the Committee I think that can be accomplished.

The Rev. Dr. HARE of Pennsylvania. I believe that, if the suggestion just made be entertained, we may, within a short time, have it appear whether the House is willing to take action.

Mr. KING, of Long Island. If the gentleman will withdraw his motion, I will appeal to the House that we vote on this Canon as a whole at the present time. Any amendment can be made by the next General Convention. We are wasting time here upon mere verbiage.

The Rev. Dr. HARE, of Pennsylvania. I withdraw my motion.

Mr. STEVENSON, of Kentucky. I move that the House do now adjourn.

The motion was not agreed to.

Mr. KING, of Long Island. I move that we proceed to vote forthwith on the Canon, with the amendments thus for made.

The Rev. Dr. WILLIAMS, of Georgia. I raise a question of order on that motion. Has not any member the right to demand that the vote shall be taken on each section?

Mr. SHEFFEY, of Virginia. I feel as much anxiety as any one to have this matter disposed of; but it is the right of every member of a deliberate body to have a matter read before he can be called upon to vote on it. Any member on this floor has a right to have this Canon read before he votes on it. The Code of Virginia, containing eight hundred

and ninety pages, was a single act, and on its final passage it was ruled that any single member had a right to have it read as amended, before he could be called upon to vote for or against it. That was in conformity with the uniform usage of parliamentary law; but having tested the principle, the member who raised the point very considerably forebore to push his right to that extremity. For that reason the motion now made is not a proper one, because whenever the Canon comes to be voted on, any member may demand its reading.

The Rev. Dr. NELSON, of Maryland. I rise to suggest that if we do not now dispose of this most important Canon on theological education, which, in my judgment, is a great advance on the old Canon, we shall never reach it again. At twelve o'clock on Tuesday next, probably there will not be a quorum here, and in the rush of the closing business there will be no time for contemplating the meaning of legal and canonical words. I am sure that if we proceed section by section, listening carefully to each section as read, we can dispose of the Canon before we adjourn this evening.

Mr. McCRADY, of South Carolina. I suggest that we take to-morrow evening for the consideration of the subject.

The Rev. Dr. HARE, of Pennsylvania. That is satisfactory to me. I make my motion in that form, that this report be made the special order for to-morrow evening at 7 o'clock.

The Rev. Dr. NELSON, of Maryland. I move to amend that motion by fixing it for this evening at 7 o'clock.

Several DEPUTIES. The Board of Missions meet this evening.

The Rev. Dr. NELSON, of Maryland. I cannot help that. This is one of the most important things that can come before us.

The Rev. Mr. BUEL, of Albany. Both to-night and to-morrow night there are to be most important meetings of the Board of Missions in this Church.

The Rev. Dr. HARE, of Pennsylvania. May not an arrangement be made by which we shall meet here and the Board of Missions meet elsewhere, say at Grace Church?

The Rev. Dr. PADDOCK, of Long Island. I suggest that by our not meeting to-night and giving the Board of Missions notice that we shall want this Church to-morrow night, we shall avoid all discourtesy to that Board because then they can call their meeting at 5 o'clock to-morrow.

The PRESIDENT. The final question is on the amendment of the gentleman from Maryland to strike out "tomorrow evening" and insert "this evening."

The amendment was rejected.

The PRESIDENT. The question is on the motion that this subject be made the special order for to-morrow evening at 7 o'clock.

The motion was agreed to.

On motion of Mr. Sheffey, of Virginia, the House adjourned.

FIFTEENTH DAY.

FRIDAY, October 20, 1871.

Morning Prayer was said by the Rev. Samuel D. Hinman, a deputy from the Diocese of Nebraska, assisted by the Rev. Richard M. Abercrombie, D.D., a deputy from the Diocese of New Jersey; and the service was concluded by the Right Rev. John Payne, D.D., Missionary Bishop of Cape Palmas (Africa).

The Journal of yesterday's proceedings was read and approved.

EXPEDITION OF BUSINESS.

The PRESIDENT. There was a mistake made yesterday in the appointment of the Joint Committee asked for by the House of Bishops to expedite the despatch of business. I did not know that the message from the House of Bishops required that the committee should be composed of members of the Committee on Canons, and I announced the committee therefore without reference to that fact. I must now make the correction, and appoint on that committee the Rev. Dr. Mead, of Connecticut, the Rev. Dr. Haight, of New York, and Mr. Sheffey, of Virginia, all from the Committee on Canons, as the resolution from the House of Bishops requires.

REPORT ON STATE OF THE CHURCH.

The Rev. Dr. Van Deusen, of Central New York, from the Committee on the State of the Church, submitted the following report:

The Committee on the State of the Church have delayed making their report, in order to have before them not only the Tabular Digests and lists of the clergy from all the dioceses, but all other information that would aid us in securing the fullest knowledge of the present condition of the Church, and also enable us to form some idea of her prospective growth and efficiency.

Since the last General Convention, the Right Rev. Carlton Chase, D.D., and the Right Rev. Jackson Kemper, D.D., have gone to their rest, full of years, and leaving encouraging records of faithful service for the Blessed Master. As contrasted with the previous triennial period, this last has been marked by a signal exemption from loss in the number of deceased Bishops; the Church, therefore, has occasion for gratitude that so many of our older Right Rev. Fathers, while in some degree disabled by age and infirmities, in filling the full measure of their duty, are yet spared to enlighten us by their wisdom, guide us by their experience, restrain us by their moderation, and show us how truly faith and love are quickened and strengthened as the time draws near for receiving the reward of patient toil and real self-denial.

During the last three years there have been ten additions to the ranks of the Episcopate viz.:

The Right Rev. Charles Franklin Robertson, D.D., Missouri.

The Right Rev. Benjamin Wistar Morris, D.D., Missionary Bishop of Oregon.

The Right Rev. Abram Newkirk Littlejohn, D.D., Long Island.

The Right Rev. William Croswell Doane, D.D., Albany.

The Right Rev. Frederic Dan Huntington, D.D., Central New York.

The Right Rev. Ozi William Whitaker, D.D., Nevada and Arizona.

The Right Rev. Henry Niles Pierce, D.D., Missionary Bishop of Arkansas.

The Right Rev. William Woodruff Niles, D.D., New Hampshire.

The Right Rev. William Pinkney, D.D., Assistant Bishop of Maryland.

The Right Rev. William B. W. Howe, D.D., Assistant Bishop of South Carolina.

From the documents laid before us we are very happy to find that the Church, in a majority of the dioceses, is making steady and healthy progress; in some the growth has been rapid, as in those newly organized; and in all there are evidences of a higher and truer appreciation of her sacred and important mission and adaptedness to the wants of our varied and increasing population. There is also, very manifestly, an ever-widening realization of her aggressive character; while minds in all directions seem to be engaged in devising ways and means for awakening new life, calling for the larger efforts, and employing all possible instrumentalities and classes of persons for the extension of the Gospel and the salvation of souls.

We cannot, however, close our eyes to the fact that in our Southern and Southwestern dioceses there are still great weakness and depression; and that the recovery of the Church in those older jurisdictions from their great calamities and deep poverty, has not been as rapid as was truly hoped and most earnestly desired. It becomes an important question for early and careful consideration, whether, from the pressure of the needs of our broad West, its rapidly expanding population, present and prospective greatness, we do not, in some degree, overlook the wants and necessities of this embarrassed portion of our land, where there have been so many and such serious difficulties and trials; but where, in former years, a large and prosperous body of Bishops, clergy, and laity manifested such strength, influence, liberality, and self consecration; because they then had abundant means of personal comfort, and for blessing others less fortunate than themselves.

Among the many facts brought to our notice by the Diocesan reports, is the multiplication of homes, hospitals, and other refuges for suffering humanity, but especially of parish schools and educational institutions of a higher order in connection with the Church, that give promise of great good. And yet these valued and increasing facilities for training the young in their threefold nature, do not prevent a large number of our people from placing their children at Romish schools, whose influence is known to be so great in the way of perversion, although professedly avoiding interference with the religious principles of their Protestant pupils and refraining from inculcating their own. We desire, here and now, to raise our voice against this practice, and to warn all parents against the insidious and attractive power of associations with such teachers, who win the affections and mould the character for life.

Among the topics that have occupied the attention of the committee in connection with the pre-

sent condition of the Church, that of the want of efficient lay discipline, has been prominent. Each member felt that there is a great need not only of a higher standard of personal piety, earnest devotion and self-sacrifice, but that in all our parishes there is a class of enrolled communicants who habitually neglect the blessed Eucharist, whose names are retained on the parish register in the hope that they will return to a better mind and obey more faithfully the divine Master's injunction while they walk more consistently before Him. Believing that new and more stringent legislation will not cure the evil, but perhaps in some instances increase it, they think their brethren of the clergy will find great aid from more frequent kindly personal appeals in private, affectionate persuasions and remonstrances, and such fidelity in showing by public as well as private teaching, the intimate connection between true holiness and the most attractive Christian graces and the regular participation of the means of blessing in the Church of God, that they will be drawn to their humble and habitual use, and give no occasion to the enemy to speak evil of them or blaspheme.

The gradual increase, each successive year, of contributions to the Diocesan and Domestic Departments of our Missions shows that our people are attaining, more and more, a truer conception of their duty. But this remark cannot in the same way, be predicated of their interest in Foreign Missions. We note this fact simply to call attention to this neglect, and to express our unanimous conviction that as "the field is the world," these distinctions of Foreign, Domestic, and Diocesan, should not blind our minds and close our hearts to our real duty to all who are "sitting in darkness" "without hope and without God in the world." When we remember the great and the good, who in the past have given themselves to the evangelization of the heathen, and the rich harvests that have been gathered after loving endurance—when we take the simple incidents (see Jubilee Addresses of Bishops Bedell and Whipple) so recently and touchingly stated to us, of our own Christianized pagans sending sympathy and aid to the Greek and African, and of their returning similar tokens of Christian fellowship with glad hearts and ready hands; what may not result from more expanded Mission Work in Foreign Lands, in realizing the fulfilment of prophecy, and the glory of the better days?

We cannot close this report without expressing our unfeigned pleasure at the scene presented to our eyes to-day, the Church never more united during any period of her national history, than at this hour. We have seen how God's constraining grace, guiding hand, and tender love are stronger than our doubts, alienations, and fears. We can but rejoice in the fact that in this great Triennial General Council the strife has been, not as so many predicted, to destroy our goodly heritage, and devour one another, but to see who can be most forbearing, indulgent, kindly, and magnanimous, and yet preserve his conscience pure and his convictions of duty clear, his heart ready for whatever grace and blessing may be vouchsafed, and his hands outstretched for whatever work may be assigned him. Let God's holy name ever be

praised for "the unspeakable gift" of that "charity which is the very bond of perfectness."

The reports of the several dioceses are herewith presented and form a part of this report.

The committee recommend the adoption of the following resolution:

Resolved, That the view of the state of the Church here presented be transmitted to the House of Bishops, asking their prayers and blessings, and requesting them to prepare and cause to be published a pastoral letter to the members of the Church.

EDWIN M. VAN DEUSEN,
Chairman.

R. M. ABERCROMBIE, *Secretary.*

The report having been read,

The Rev. Dr. VAN DEUSEN, of Central New York. I will state that the committee have prepared a summary of the tabular digests which accompany the report, but which we do not deem it important to read to the House at this time, as it will be published with the tabular digests. I will simply state one fact from that report: The contributions of the whole Church in the United States during the last triennial period have been upward of \$15,000,000, more than \$4,000,000 in advance of any former triennial period.

I move you, sir, the adoption of the resolution appended to the report.

The resolution was adopted.

PASTOR OF COLLEGE PUPILS.

The Rev. Dr. Haight, of New York, submitted the following report:

The Committee on Canons, to whom was referred a proposed amendment of Section 6, Canon 12, Title I., respectfully report that they have considered the same, and recommend the adoption of the following resolution:

Resolved (the House of Bishops concurring), That Clause 1 of Section 6 of Canon 12 of Title I., is hereby amended so as to read as follows:

"No minister belonging to this Church shall officiate, either by preaching, reading prayers, or otherwise, in the parish or within the parochial cure of another clergyman, unless he have received express permission for that purpose from the minister of the parish or cure, or in his absence, from the churchwardens and vestrymen, or trustees of the congregation, or a majority of them. But whenever in any duly incorporated Academy, College, or Theological Seminary there shall be a chapel consecrated or dedicated by the Bishop, in which public worship is held according to the rite and order of the Church, the students or pupils of said institution, being members of the Church or allowed by their parents or guardians to worship in such chapel, shall be considered as under the pastoral care of that officer, whether president or chaplain, who is charged with the spiritual oversight of the institution, and shall form his cure."

By order of the committee,

WILLIAM COOPER MEAD, D.D.,

Chairman.

The report having been read—

The Rev. Dr. HAIGHT, of New York. This is the Canon reported by the Committee on Christian Education, and referred to the Committee on Canons, and now reported by them to this House.

The Rev. Dr. WILSON, of Central New York. I wish to call attention to one word in that report. It provides for services in a chapel of a college or university when the chapel has been "consecrated." I should like to have that word stricken out.

The Rev. Dr. HAIGHT, of New York. "Or dedicated."

The Rev. Dr. WILSON, of Central New York. Either. For this reason: I have the honor to be a professor in a university where there is no such chapel, and not likely to be. And yet I am regarded as the chaplain of that institution. I am expected to, and do, hold, when there, daily service for the students. This Canon does not provide for my case. I ask, therefore, whether it would not answer the purpose as well, and be better, in some respects, to strike out the words "consecrated or dedicated," so as to provide for cases like mine, for I presume there are many others.

The Rev. Dr. HAIGHT, of New York. I ask my friend, President Jackson, who is the chairman of the Committee on Christian Education, who drafted that Canon, to answer that question. He understands it better than I do.

The Rev. Dr. JACKSON, of Connecticut. I think there is no particular objection to that amendment, as far as dedication is concerned. That is a different thing from consecration. I suppose the use of a chapel for that purpose would be tantamount to a dedication. I am quite willing, as far as I am concerned, to accept the amendment of my brother from Central New York.

The Rev. Dr. WILSON, of Central New York. Then I move to strike out those words, for another sitting beside me says he is precisely in the same condition. We worship in the best room we can get, but it is not consecrated or dedicated.

The Rev. Dr. JACKSON, of Connecticut. I suggest to insert the word "used."

The Rev. Dr. HAIGHT, of New York. Allow me to read another clause of the Canon. We had better be very careful in making any change here:

"But whenever in any duly incorporated academy, college, or theological seminary, there shall be a chapel consecrated or dedicated by the Bishop in which public worship is held according to the rite and order of this Church," etc.

I suppose if the chaplain does not hold public worship, it would not come under this Canon. I do not wish to enter into any discussion about it. I merely wish to say that this amendment of the Canon introduces a new feature somewhat into the order of this Church. It goes into a gentleman's parish where there is an academy, and it says to him, "Hereafter you have no control whatever over the members of that household: they are no longer your parishioners." I do not say now whether there may or may not be hereafter some difficulties arising out of this new amendment; but I submit

whether we had not better be very cautious about throwing aside all the restrictions and all the barriers. If you require it to be a chapel consecrated or dedicated, that very fact fixes the permanency, comparatively, of the institution. It does not allow a man to open a private school, and then open his parlor for worship on the Lord's Day, perhaps for the very purpose of drawing away worshippers from the parish church. I think we had better be careful about this matter. I do not intend to oppose the amendment if the House chooses to adopt it. It is a matter which every parish priest had better look at twice before he votes for it.

The Rev. Dr. WILSON, of Central New York. I move that the words "consecrated or dedicated" be stricken out and the word "used," as suggested by the Chairman of the Committee, be inserted. I think we meet the objection suggested by the Secretary of the Committee on Canons by referring to the fact that it is to be in "a college or academy incorporated." That secures you against any private school.

The PRESIDENT. I have the report before me, and I suggest that to insert the word "used" would be surplusage, as I will show by reading it: "There shall be a chapel in which public worship is held according to the rite and order of the Church." That is the way in which it would read by simply striking out the words objected to by the gentleman from Central New York without inserting the word "used." To insert that word would be surplusage and I think bad grammar.

The Rev. Dr. HAIGHT, of New York. Then comes up the question, what is a chapel? If I have a school of fifteen or twenty boys in a small village, have I any right to open my parlor and call that a chapel, and have public worship on Sunday? If you say "a chapel dedicated or consecrated," it is a very different thing, for you cannot consecrate or dedicate your parlor.

Rev. Dr. MEAD, of Connecticut. That is utterly impossible under this Canon, because it speaks of "incorporated institutions," not private schools.

The Rev. Dr. HAIGHT, of New York. In New York you can get an incorporation for anything.

The Rev. Dr. MEAD, of Connecticut. In New York they do a great many things that I am sorry for. [Laughter.]

The Rev. Dr. HAIGHT, of New York. It is not quite as bad as Southern Connecticut. [Laughter.]

Mr. BURGWIN, of Pittsburgh. Some members of the Committee on Canons voted for the introduction of the new system on the ground that it required the action of the Bishop of the diocese to consecrate or dedicate this chapel and thereby signify his assent to this thing, because under the Constitution as we now have it, no new parish can be formed within the boundaries of another parish, unless by the consent of the Bishop under the advice of the Standing Committee, and therefore we thought we secured a compliance with the provisions of the Constitution if we said this chapel

should be consecrated or dedicated by the Bishop, thereby giving his assent to it. I should not have voted for this report unless it contained a provision of that kind. I hope, therefore, the Canon will remain just as reported from the Committee on Canons.

The Rev. Mr. FARRINGTON, of New Jersey. I cannot vote for this proposed amendment, for I feel that it will be setting a premium upon disaffection in many of our parishes. It seems to me that the clergy here present who are rectors of parishes should be careful how they vote for this amendment.

The Rev. Dr. NELSON, of Maryland. I am sorry to interrupt the gentleman, but I call the attention of the Chair to the fact that the time for the order of the day, half past eleven o'clock, has arrived, according to the clock, and I call for the order of the day.

The PRESIDENT. I cannot see the clock, but it wants four minutes of the time by my watch.

The Rev. Mr. FARRINGTON, of New Jersey. It will be observed that this proposed amendment speaks of public worship in this chapel, and therefore this worship is to be open to all the people of the village or town in which this incorporated academy may be. If the worship in this chapel or building is public it will be in the power, with the permission of the rector of the school, at any rate, of persons in our parishes, who for any reason whatever are disaffected, to attend the ministrations of the Church in that building, and in that way it will create difficulties in our parishes, setting, as I said before, a premium upon disaffection. I do not think there is any real need for this proposed legislation. I am disposed to regard it as special. We have not been told that memorials have come up from different dioceses for any such legislation as this. I have heard nothing of the kind. I sincerely hope that those here who are rectors of parishes will hesitate before voting for an amendment, which I am afraid will create difficulties and interfere with the rights which we now have as rectors of parishes.

Mr. McCRADY, of South Carolina. I hope this report will be made the order of the day at 7 o'clock this evening.

The PRESIDENT. We have an order of the day for 7 o'clock.

The Rev. Dr. HAIGHT, of New York. Let it lie over and take its chance.

The Rev. Dr. McNAMARA, of Nebraska. I move that it lie on the table.

The Rev. Dr. JACKSON, of Connecticut. If there are objections made to this clause of the Canon I wish to be heard upon it. I have something to say, but of course cannot do it now.

The PRESIDENT. It will lie on the table as a matter of course.

MESSAGES FROM HOUSE OF BISHOPS.

A message (No. 37) was received from the House of Bishops announcing that that House had passed the following resolution:

Resolved, That this House concurs in the amendment to Canon 6, Title III., constituting Section 4, Canon 6, Title III. communicated in message No. 23 from the House of Clerical and Lay Deputies, relating to the admission of a new diocese into union with the General Convention.

A message (No. 38) from the House of Bishops announced that that House had adopted the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That Section 7, Canon 13, Title I., be amended by inserting after the word "Territories" in the 5th line of paragraph 1st, the words "or parts thereof," and by inserting after the word "Territories" in the 3d line of paragraph 2d the words "or parts thereof," and after the word "Territories" in the 8th line of the same paragraph the words "or parts thereof," and also by omitting in paragraph 7 the words "in said States and Territories of the United States," in lines 3 and 4, and inserting in place thereof the words "within his Missionary Jurisdiction."

RITUAL UNIFORMITY.

Several Deputies called for the order of the day. Mr. SHEFFEY, of Virginia. I understand that the order of the day for half past eleven o'clock is now before the House.

The PRESIDENT. It is; being the Canon "on Ritual" reported yesterday by the Joint Committee.

Mr. SHEFFEY, of Virginia. I desire to make a preliminary remark, not with a view at all of saying anything upon the order of the day as a subject of consideration, but to make a suggestion to the House in respect to the order in which this grave and solemn question shall be acted upon by the House. It is that the Chairman of the Committee be allowed to make such statements by way of explanation of the report as he may deem proper and that another member of the Committee, any one who chooses, may be heard in respect to the report and any members of the Committee thereafter who are opposed to the report be heard and then that the subject be open to debate by the House. I respectfully suggest that this courtesy is due to the majority and the minority of the Committee that they first be heard and then that the question shall be thrown open for the consideration of the House.

Mr. WHITTLE, of Georgia. I heartily agree with what the gentleman has said, but I think another suggestion should be added, that the usual courtesy should be extended to the chairman of the committee to close the debate.

Mr. SHEFFEY, of Virginia. I had forgotten that.

Mr. WHITTLE, of Georgia. It is a most important thing, and we should vote more intelligently if that were done.

Mr. SHEFFEY, of Virginia. The chairman of the committee has the right to close the debate, of course.

The Rev. Dr. ANDREWS, of Virginia. By an understanding between the chairman of the committee and myself, I have but a partial office to perform. The part assigned to me in this debate, is but introductory, and I shall confine myself to a statement in brief of certain great principles which should underlie our legislation, and which thus far, as never before, has been recognized by both Houses of this Convention at its present session, and in the light of these principles, I trust the proposed Canon will be judged. I hope also not to be interrupted for irrelevance, though the bearing of every sentence upon the main question should not at the moment be discerned.

That there is a disorganizing and revolutionary element abroad in the Church which calls for legislative restraint, seems to be the almost universal conviction. The beneficial tendency of the proposed Canon in this direction, though not obvious, is, I believe, real. For the details I shall not contend, believing, as I do, that they are capable of improvement. But as the debates in committee went on from morning to morning, it was impossible not to see that its intention was (like other acts already passed far beyond what I had hoped to see) to remove, in *part*, that which has long been the bane and plague of the Church, and which, if no remedy can be found, will reduce it from that place of power which historically and rightfully it ought to hold to a place *statistically* among the minor sects as a comparison of the tables, from census to census, will force us to see whether we desire it or not.

The principles referred to, touch the hindrances to the Church's growth, and the losses which it has sustained.

Take the Church of England and our own in one view—compare its power over the whole English-speaking people at the accession of the House of Stuart to the English throne with what it is now, or even as it was in 1661—compare the numbers it has retained with the numbers it has lost by secession beyond any or all the Churches of the Reformation put together. What can have been the *cause*? Has it been *extrinsic* or *intrinsic*? If *extrinsic*, why has not Lutheranism, in its own sphere or any other interest dating from the Reformation, suffered in like manner. Was it *intrinsic*? and, if so, has it ceased, or is it still acting? This is the question before the Church in council, beyond all competition and comparison.

In speaking to it, would to God I could rise above parties—all parties—my own, for the time being, and fling it to the winds. The cause is *intrinsic* and still acting. It is in these two principles or facts. What are they? *Indeterminateness of doctrine* and *inflexibility of forms*—liberty even to license in God's part of the Church, with an organic fixedness in man's part. In other Churches you may find the first of these principles and the second in another, but in none other, reformed or unreformed, can be found the two in such combination.

For the facts touching indeterminateness of doctrine, compare the symbols of the Oriental Churches, the decrees of the Council of Trent, the Augsburg Confession, the Book of Concord, with all the Continental Confessions, and subsequently those of Westminster and Dort, and ours are incomparably

the briefest and least explicit. In all those symbols, if one form of expression was not deemed sufficient, another was added.

This indecisiveness of our formularies has been charged as intentional, and yet that eclectic Reformation in England, like the eclectic philosophy, accepting the affirmations of different systems, while refusing their negations, is a marvellous specimen of compositeness.

Whether this be so or not, certainly no system has ever so developed the necessity for further legislation in order to determine what some of its doctrines are. No Calvinism is more intense and no Armenianism is lower than claim alike the XVIIth Article. Neither Augustine nor Pelagius have found abler advocates than in the Episcopal Church.

All this may be tolerated, and Churchmanship of every grade, if not passing unchallenged, each at least claiming as stoutly as its fellows under the same book. But this is not all. There is a tolerated teaching in two lines, each of which is utterly subversive of the book—medievalism and rationalism. "With Articles, Liturgies, and Homilies, which have proved the bulwark of Protestantism, yet out of the stones of that bulwark, as is claimed, a bridge has been constructed in our day, over which many have passed into Rome." And with this a tolerated school of scepticism in "Essays and Reviews," which overthrows the three creeds. Rationalism and Romanism dwelling side by side in the bosom of the Church; a Bennett and a Jowett in the same communion; a Pusey and a Baden Powell teaching in the same school.

Touching the question of Baptismal regeneration: *e.g.* it had come to be taught that a moral change was wrought thereby *ex opere operato*, but as to the real meaning of the service which involves doctrines not lying upon the surface of Scriptures and not easy to translate into more appreciable human forms, it has failed beyond degree to determine for itself, its own meaning, or any one meaning whatsoever.

For the controversy it has produced in the Church among its own members as to the meaning of one of its own formularies it stands without a parallel.

I appeal to the judges in civil courts and members of the bar in this body, whether within their knowledge there is any parallel in civil legislation, with this formulary, for incertitude and cause of strife. I say legislation, since that formulary is held to be a part of the law and Creed of the Church. And it is no answer to say that there is like controversy about the meaning of Scripture, since the very purpose of a Creed is, by defining in explicit terms the sense in which Scripture is received, to secure at once terms of communion, and the avoidance of controversy. Manifestly then, if a Creed be as disputable as Scripture, it fails in both its objects.

And is it so that we not only cannot touch the Prayer Book but anybody's *opinion* of the Prayer Book though proved incompatible with, and subversive of the Book?

But if you begin, where are you to stop? This is the most common objection, and the most unilluminated and discreditable to the Church.

Where will you stop? Why, sir, stop where the *necessity* stops and not before. Are we to assume in advance that the Church is so bereft of all discretion that it cannot be trusted to do a right thing lest it should take occasion to do a wrong one?

Now, sir, the Declaration of the House of Bishops in Council at this session is an *approach* toward the removal of *this* indeterminateness in doctrine. The proposed Canon was certainly intended by him who drew it, and in the mind of the committee who have presented it to the House, to be another and larger movement in the same general direction of fixing *doctrine*.

Take next our inflexibility of forms, in which a relaxation has already begun. Take it first in the liberty of preaching. Until the day before yesterday it was the inexorable law and condition precedent to preaching the Gospel in this Church, binding upon Bishop, presbyter, deacon, rector, or missionary, "before you can preach a sermon or deliver a lecture on Sundays or week days, you must begin, 'Dearly beloved brethren' and go through *verbatim*, to the end, for perhaps an hour. Query—has any Church a right to prefix such conditions to Christ's command to preach the Gospel.

Compare this with the liberty of preaching in the Church of Rome. I once had the opportunity in the Cathedral of Charleston, crowded morning after morning before daylight. The Redemptionists were carrying on a revival, as the Methodists say. The specialty at this service was preaching. The preacher mounted the pulpit, in simple cassock, and after a prayer of a dozen lines, began his sermon; and never was I so struck with the adaptation of sermons to their object, to create the deepest religious conviction, and bring the people upon their knees before the priest. Surely, thought I, we have greatly underrated the power of *preaching* upon the type of mental and religious character which abounds in the Roman Church. There was more than Methodistic pliability in wielding this mighty instrument. No wonder that a people so wrought upon become proof against argument and reason from without, surrendering their intellect to their sense of obligation to the Church—their minds boxed up in their consciences and the priest carries the box in his pocket. It is a sin for them to be found in its possession, or to have any mind or conscience of their own, after the Church has spoken.

Surely, thought I, they are wiser in the propagation of error, than we of truth.

The *doctrine* being secured, they *trust* their ministers, who are all the more loyal on that account, giving room for individuality and enterprise, instead of picketing their road at every step, and planting Canons to the right of them, and Canons to the left of them, and Canons in front of them, like the devoted "Six Hundred."

But now, sir, if the House of Bishops concur, we shall be so surrounded no longer, for the Canon sent to them, by prohibiting other prayers than those in the Prayer Book, and giving much larger liberty in its use, at once conserves *doctrine* and relaxes *form*. And such will be, or is intended to be, a further result in the same line of the proposed Canon.

And what is the result of our previous legislation in these two lines? With more uniformity we have less unity than any. Such is the logical and necessary consequence. How could it have been otherwise? And here we come to the philosophy of our losses, beyond any other. They are numbered by millions. To say nothing of Presbyterianism and Romanism, we have lost by independency, we have lost by nonconformity, we have lost by Quakerism, we have lost by Methodism; for once the materials of those multitudinous societies were all our own.

But upon every accession of new life, there was no elasticity of form to receive and utilize it, but instead, a new ecclesiastical act of uniformity. That must be maintained, whatever else was lost. Those who dissented from their intolerance and key-hole views, were no Churchmen. The timid were intimidated by the leaders, and the leaders would sooner have their own way than to retain thousands by any concession. No new wine could be endured by the old leathern bottles of uniformity, and consequently upon every fermentation of life, there was but one result—the bottles brake, and the wine was spilled.

Look at the Conference at Hampton Court. After a petition, so numerously signed, that it was called the Millenary petition, the chief thing the minority could obtain was, what do you think, sir? They might read a chapter out of the Book of Proverbs, instead of the story of Bel and the Dragon.

Look also at the Savoy Conference—not to the Church in that day, for it is now well understood that the commissioners did not represent the Church. Who does not now see the utter incapacity of those commissioners? True, some of the requests of the minority were frivolous or unreasonable. But hear their curt and haughty replies to those which were most just and reasonable, and the subsequent expulsion of two thousand four hundred and sixty-three of the most earnest and working clergy for non-conformity, and who, judging by the extant literary remains of that age were the most learned and pious men of the Church.

Upon an enquiry by some nobleman of the laity if it were not a pity the terms were made so hard, "No," said the Commissioner, and had we known that so many would have conformed we would have made them harder.

Look again at those unrivalled Preachers and Evangelists of the last century; born and nurtured in the bosom of the established Church, who were not its enemies even to the last, but its friends who went in sackcloth—but called by the Spirit into the field of the ungodly, and there blessed beyond a parallel, they would gladly have carried home all their sheaves and laid them upon their Mother's bosom, whom they loved so well, but were repelled by her foolish Governors, saying, "let them go, we are better off without them." Now their spiritual progeny fill the land and are not what they would have been, or we either, had they been retained under our Apostolic institutions.

But I must close, rejoicing that I have lived to see such a day of alterations, which I trust will not be arrested by further instalments of the old obstructive legislation. Determine what the *doctrine*

is, forbid its betrayal either by teaching or symbol, and then if the Ritualists claim relaxation they may have my vote.

The Canon proposed was *intended* to promote uniformity in doctrine and liberty in non-essentials. How far it is calculated to produce these results will now of course become the subject for investigation.

The Rev. Dr. MEAD, of Connecticut. Mr. President, it becomes my duty, it appears, to state the reasons why this Canon is before us. It will be remembered that, in the General Convention of 1868, the House of Clerical and Lay Deputies sent a request to the House of Bishops to make a certain inquiry, which is as follows:

1. *Resolved*, That the House of Bishops be requested to set forth for consideration and adoption by the next General Convention such additional rubrics on the Book of Common Prayer as, in their judgment, may be deemed necessary.

2. *Resolved*, That, meanwhile, in all matters doubtful, reference should be made to the Ordinary, and no changes should be made against the godly counsel and judgment of the Bishop.

This was laid before the House of Bishops, and this is their action on the subject:

On motion of the Bishop of Maryland, it was

Resolved, unanimously, That the House of Bishops affectionately informs the House of Clerical and Lay Deputies that in the full trust that the spirit of the second of the three resolutions communicated by that House in its message No. 78 will be carried out in the action of the clergy and laity of the several dioceses and missionary jurisdictions of this Church, this House deems it unadvisable to enter upon any alterations of the rubrics of our Book of Common Prayer by the insertion of additional matter; but that it will appoint a committee whose duty it shall be to consider whether any additional provision for uniformity by Canon or otherwise, is practicable and expedient, and to report to the next General Convention.

Afterward the House of Bishops, by its Presiding Bishop, appointed to carry out this latter part of its resolution, the Bishop of Delaware, the Bishop of Connecticut, the Bishop of New Jersey, the Bishop of Rhode Island, and the Bishop of Pittsburgh. Thus it appears that the subject of expediency of acting on this matter has been brought before this House.

The five Bishops appointed as the commission of the House of Bishops, in fulfilment of their duty, prepared a report and laid it before that House. The House of Bishops having instituted this commission which made the report, at the instigation of the House of Deputies, very properly declined to act alone on the subject, but requested the House of Clerical and Lay Deputies to appoint, on their part, members of a joint committee to consider this whole subject reported by the five Bishops. This Committee have had the subject under consideration and have made their report. The report has

not been read to-day by the Secretary of the House, and I would thank him to read it.

The Secretary read the proposed Canon as reported.

The Rev. Dr. MEAD, of Connecticut. Thus you see the cause of action; and the action adopted by the Joint Council in relation to the report of the Committee of the House of Bishops. You will perceive that the report of that Committee is not alluded to here, but the principles on which the report was made were the principles on which the Joint Committee acted. They thought, undoubtedly, that the Church felt in 1868, and if in 1868, certainly not less in 1871, that there was a stern necessity for some action to be taken for the purpose of regulating this whole question of deviation, the ritual forms and observances provided for in the law of the Church, either by excess or otherwise. Accordingly, they have adopted this Canon, and the accompanying resolutions which are declaratory. The proposed Canon declares facts already existing, namely, that provisions for ritual in this Church are: first, "the Book of Common Prayer with the Offices and Ordinal thereto appended as adapted to the use of this Church by additions, omissions, or other alterations from time to time constitutionally made," and, second, "the Canons of the Church of England in use in this country," at the time our Constitution was adopted; and, third, "the canonical or other regular legislative or judicial action or decisions of this Church in its Conventions, General or Diocesan, or by its duly constituted authorities." The declaration is, that these three constitute the law by which ritual observances and everything else connected with the worship of the Church must be decided.

Having presented this, the Committee proceed to strengthen the authority, paternal, if you please, of the Bishops of this Church. In our ordination vows, when we received the high gift of the Holy Ghost, the priesthood in the Church, we, among other things, solemnly declared that we would pay heed to the godly admonition of our Bishops and other Church ministers. Questions have arisen who is to be the judge or decider of the admonition, whether it is godly or not, and especially in reference to the Ritualistic question. A Bishop may say to his clergyman that he is going beyond the Prayer Book, beyond what the Canons of the Church of England in force in this Church allow, or beyond what our own Canons and enactments, diocesan and general declare; and that clergyman may say: "I do not hold your admonition to be godly in the strict sense of my promise; I hold that I have the liberty, that I have the right to introduce that which has not been provided for; I do nothing against the provision of the law of the Church, but I do something a little beyond them. We all know that human laws are generally rigidly interpreted, and that the man who undertakes to change them without the aid of legislation is very apt to be brought up with a round turn by a court of justice, and so it should be.

The PRESIDENT. The time has arrived for the order of the day fixed for 12 o'clock.

The Rev. Dr. MEAD, of Connecticut. I move that the order of the day be suspended and that we proceed with the matter now before us.

The motion was agreed to.

The Rev. Dr. MEAD, of Connecticut. This has been the position in which some of the priesthood have

placed themselves in relation to their Bishops, and you observe by the concluding part of this canon that certain things within the purview and limitation of what is declared to be the law of the Church are made the duty of the Bishop, not orally, but when it comes to his knowledge, in a written document sent to that priest to declare to him that such and such usages are irregular, unprovided for in the laws of the Church, and therefore must be abstained from; and it being made his duty to do this, it becomes then his duty, if disobedience be the order of the day to take care that that disobedience be arrested and the individual put upon his trial for violation of that law, if the Bishop sees fit. The great object of the Committee, however, was to show that the Bishops had authority; and under the belief that they would exercise it paternally and not autocratically or despotically, that it might safely be left with the Bishop, under the ordination vow of the priest, to settle this question.

Gentlemen, you have here all the provisions of this canon. It is not my purpose at the present time to enter into any general reasons why such a canon, or something like it, should be enacted. I merely appear before you now for the purpose of stating to you the business before you under this report of the joint Committee and the reasons why they have laid it before you. First, you of the House of Deputies of 1868, asked the Bishops to do a certain thing. They have done it. They have respectfully submitted it to us in conjunction with themselves; and the joint committee thus appointed have reported these propositions to this House. However the members of this House may differ from any of the propositions in this Canon, I challenge their respect for the origin and authority under which this joint committee have spoken.

The Rev. Dr. HAIGHT, of New York. Mr. President, as one of the members of the Committee, I wish, before the discussion becomes general, to say a very few words.

In the first place, I desire to call the attention of the House to the fact,—and it strikes me that it is a significant fact, in relation to the report now before you, being the action of a Committee of Conference,—that it does not touch in any shape, manner, or form the proposed action by the five Bishops, which was received by the House of Bishops, and sent down to this House. I ask the particular attention of my brethren to this fact, without expressing any opinion touching that document signed by the five Bishops, which was before our Committee of Conference on ritual. There is not the slightest affirmation, either directly or by implication, of anything contained in that report. I do not remember that anything more than a single passing word was uttered in that Committee touching that report. I beg gentlemen to consider this, as having a great deal of significance in relation to the action which they did propose. That document, be it characterized as it may be, has been put out of sight and is in no wise, in any shape, manner, or form, before this Convention.

I desire to call the attention of the House to another fact, and that is, that the Proposed Canon enacts no new law whatever on the subject of ritual. So far as legislation goes, touching law, it does nothing. I say, it does nothing: it declares the law as it is to-day. Refuse to pass this Canon, and the law will remain the same to-morrow, and until this Convention is prepared to repeal what I consider one of the fundamental laws of this branch of the Catholic Church.

Now, sir, what does it propose to declare? It proposes to declare simply, that the law of ritual in this

Church is contained, first, in "the Book of Common Prayer, with the offices and ordinal thereto appended, as adapted to the use of this Church, by additions, omissions, or other alterations, from time to time constitutionally made." No one, I apprehend, in this House will deny or question, that the Book of Common Prayer, with the rubrics, is one main source from which we are to derive our knowledge of the law of this Church on ritual. Secondly, "the Canons of the Church of England, in use in the American Provinces, before the year 1789, and not subsequently superseded, altered, or repealed by legislation, general or diocesan, of this Church." Those Canons, as here referred to, are the law to-day. Reject this Canon, if you please, they will be the law to-morrow; and no power in this Church, can change that until you have repealed or modified those Canons, by the act of the General Convention. You ask the proof of this: you have it in the declarations of the Fathers of this Church, and of the House of Bishops, from the very day of the organization of this branch of this Catholic Church.

What is the position of this branch of the Church? What has it always been from the time of the American Revolution down? An entirely new branch of the Church of Christ, created in 1789, with no anterior history and with no anterior laws, a new mushroom Church? Thank God, no; but a daughter Church of the Church of England, deriving its authority and power from no less a source than the Apostle St. Paul. We never have by any act of ours, and I firmly believe, we never shall, repudiate any of that glorious heritage which comes down to us from our mother Church of England. We have said, again and again, in the most solemn manner, that the Episcopal Church of this country, is the body known in this country before the Revolution as the Church of England. Open your Prayer Books; read the Preface. What does that Preface declare? That this Church, by any alterations which it made, did not intend to depart from the doctrine, discipline, or worship of the Church of England, except just in so far as local circumstances had required alterations to be made in our formularies. That is the law to-day. If you pass this Canon it will be re-declared, without being re-enacted. If you reject it, it will remain the same to-morrow; and for one, I thank God for it.

Now, sir, as to those English Canons, most of us, I suppose, know something about them. They are, as my friend from Wisconsin said on this floor yesterday (I apprehend under some misapprehension as to what was the aim of this Canon), very numerous. I will not detain you now by turning to the pages of Hoffman on the Law of the Church to read you what he says touching those Canons, recognizing clearly and distinctly what I have now said to you; but in point of fact, he having classified those Canons and enumerated them, shows that a very small fraction of the whole body have had any authority whatever in this Church; and you know the resolutions which are to be brought in after this Canon, refer this whole matter to a joint committee, to be appointed by this General Convention, for the purpose of examining and sifting those Canons, pointing out those that have any validity here at the present time, and to propose any modifications or alterations that may be necessary. But I consider that a very small matter. What I look at in this proposition is this: That here we are willing to-day to declare what our fathers and our fathers' fathers have declared, that we are no new branch of the Catholic Church, but we are the daughter

Church of the Church of England; that her history, and her laws, and her institutions are a part of our glorious heritage; and that we mean to hold fast to that heritage just in so far as we find it a blessing to us, until time shall be no longer.

I do not know, sir, that I have made myself clear on this point. I have very clear views on this subject, and I never had any other. It was my privilege—and a great privilege it was—to be a pupil of Bishop Hobart. I belonged to the last theological class which that venerated man ever taught. I sat at his feet; I sat at the feet of those who succeeded him; and, among the principles instilled into my youthful mind touching this great Church, was this great principle, that we are not a new Church at all, but that we are linked on, and linked on indissolubly, to that glorious body which preceded us in this country.

Now, sir, to come to the next point, about which there can be no possible difference of opinion, and that is, the Canons and decisions of our General and Diocesan Conventions. So far the Canon is declaratory. But now comes another declaration in part, and in part an enactment. It goes on to declare that the Ordinary, in all such matters as are now under consideration is the judge, that the Bishop is the father of the family, and that the Bishop is the Divinely appointed ruler in the House of God. Has not this been the doctrine of this Church from the beginning? Has it not been the doctrine of our mother Church of England? It is true, in England the prerogatives of the Bishops have been, in various ways in this respect, curtailed. I am happy to say that, in this branch of the Church of Christ, though we have gone on hedging around our Bishops by Canons before and behind, and all around, in this particular respect we never have interfered with that prerogative. We have left the matter just where the Prayer Book leaves it; we have left the matter just where it stood in the times of our fathers. The Ordinary has the supreme right of direction in this matter, and I ask my brethren what is this but a re-declaration of the old law of the Church back to the very times of the Apostles, that the Bishop shall regulate the worship of his diocese even down to the providing of the forms of Divine worship? Why, sir, is there a theologian here who does not believe that in a diocese, if there were no forms of prayer already prescribed binding upon him, the Ordinary would have the sole power of direction in Divine worship? I apprehend not. This is a re-affirmation of that principle; but it goes on with a very important enactment touching the way in which he shall exercise his prerogative, or rather in which he shall discharge his duty; it is this: "It is hereby declared and provided, that in all questions arising concerning Ritual Observance, the Administration of the Law of Ritual of this Church, whether for enforcement or for restriction, appertains to the office and duty of the Ordinary, whose official written determination," etc.

That is an enactment as to the way in which he shall discharge his duty — "Whether of his motion, or at the official demand either of a Rector or of a Vestry, shall be held to be the settlement of any question which shall at any time arise concerning Ritual."

I consider this a very wise enactment. I have heard a right reverend father say — it was said to myself — "You know my views about that matter; I want you to conform," I said "I cannot do that because I do not understand that to be your judgment. If you will give me your formal judgment, not a passing opinion but a deliberate and formal judgment, I will obey

instantly." Now this enacts that the Bishop shall give in all these cases his written determination. If the Bishop is disposed to be indifferent at all to his duty, that compels him to take time and thought; for while men are very willing to speak out their views and to talk of their views, they are not so willing to put them down in writing, remembering the old adage that the written word remains and is seen of men. I consider this one very important safeguard, not to the clergy only, but to the Bishop. It serves to protect him on the one hand, and it serves to protect the clergy on the other.

Then we come to another point. Suppose that there shall be a difference of determination on any given point in different dioceses so that there should appear to be two or three laws in the Church; then the Canon goes on to provide that the matter may come up by memorial from anybody—it restricts to no one order or class of men or individuals—to the House of Bishops whose decision on the matter shall be final.

That is the law which is proposed. As I said before, it is no new law; it is a declaration of an old law. Now before I sit down allow me to say a word or two touching what I suppose may be some difficulties in the minds of my brethren touching this matter. I will begin with the last point named. The Ordinary is the power to decide. "Well, then," says one brother, "What is to become of the liberties of the clergy? Here I am a rector. In the discharge of my duties, in my endeavors to raise the tone of thought and devotional feeling among my people, I have gradually introduced certain improvements as I call them in Divine worship; and, lo and behold, here all of a sudden somebody complains of me and my mouth is shut; I have no appeal, and I must submit."

Well, sir, it seems to be a hard case in some respects. It will be no harder after this Canon is passed than it was before, or than it is to-day,—not one jot. But take the question upon the main principle. I say it seems hard, but if the Church be of God, if this Church be a portion of the Lord's family, if the Bishops derive their authority in the Church, not from man but from God through the Holy Spirit, if each Bishop in each diocese which is a portion of this family is set there by Almighty God, for the very purpose of direction and governance and training, if that is the law of Divine appointment, who art thou that sits in judgment on thy Master and thy Lord? As well might a son or a daughter in a family complain of the hardships put upon him or her by his or her father or mother. There have been unnatural parents; sons and daughters have been compelled to endure a great deal of hardship, and there has been and there is no remedy. Blessed are they that endure the trials that come upon them through Divine appointment or Divine permission! My brother rector, I myself might feel very much aggrieved and hurt; but if this mandate comes to me from my Bishop, my father in God, the representative to me of the great Head of the Church, and I obey, though it be with a bleeding and lacerated heart, I know the promise of the Master; I know the reward of obedience; I know the blessings of suffering if it be God's will. But, sir, this proceeds on the supposition that very frequently a Bishop will do a very wrong thing, an illegal thing, a thing which he could not defend if there were a power of appeal. I am sorry to say that a great many of our laws go on the supposition that the clergy of this Church are no better than they ought to be. you were to take all our Canons, you would really

think the clergy of this Church in this age were a very sorry set of persons. They are supposed to be capable of almost any violation you can name of the laws, and Constitution, and Canons, and ordinances of this Church. It is a wrong theory to proceed upon; but I say now, that this objection proceeds on the supposition that you are to have very frequently decisions of Bishops on these points, which shall be wrong, either so far as the law is concerned or so far as some principle is concerned. Well sir, I do not believe any such thing. I believe the Bishops of the Church to-day, like the great bulk of the Bishops who have gone before them, are men who feel deeply and keenly the responsibility that rests upon them, who have no desire whatever to lord it over God's heritage, who would not rebuke a son, would not interfere with him in the slightest degree while he was doing his duty, unless they were compelled to do so, constrained by a higher than any human motive, constrained by a sense of duty. That is my firm belief; and if we of the clergy would only pray more for our Spiritual Fathers, for their enlightenment and for their guidance, it would be vastly better than so much carping at their action.

But, sir, suppose that you do find a Bishop who is thoughtless, reckless, hard-hearted, who forgets that he is a father in the Church of God, over and above, a ruler in the Church of God, who loves to hold out the sceptre of authority, who loves to call up his clergymen and examine them, and impose all manner of restriction upon them; there it comes back just to the point already alluded to. How can you by any possibility relieve the Church of such difficulties? Only in one way, and that is, if he proceeds so far as to allow it, by impeaching him. It will be no worse in this respect to-morrow, if you pass this canon, than it is to-day. If you do not pass it, you do not change the state of the case at all.

But, sir, I apprehend that such cases, as they have been rare in the past, so they will be infrequent in the future. At all events, if we hold this Church to be a portion of the family of God, and each diocese a part of that family, and each Bishop its father, if the father proves faithless to his trust there is no remedy but submission, and leaving it in the hands of divine Providence. But you say, "This is very hard; in the mean time my work is hindered; the work of the Church is hindered; the Bishop is throwing everything behind hand." Well, be it so, a Bishop does not live forever. Suppose he lives ten, fifteen, or twenty years, and all this while is an impediment rather than a helper to his clergy. What is one generation, or two generations, in the Church of the living God, which is to last while time lasts? What are five, ten, fifteen, or twenty years in the history of the Church of God, which, like its great Author, is eternal? They will soon pass away; we and all our grievances and all our injuries will have passed away and been buried in the tomb; but the day will come when the Church will arise and put on her beautiful garments, casting aside her sackcloth and her ashes, and go on her way rejoicing. Have we not seen that in days that are past? Have there been no gloomy periods in the history of the Church all over the world? And if that Church has only been faithful to herself in holding fast to the Head, the great Head, the Lord Jesus Christ, the day of resurrection has come as it always will come. Let no man, then, grieve and murmur and fret because, under what he thinks the adverse course of a Bishop, the Church is suffering inconvenience and impediment in any particular part for a series of years. All those

will soon pass away, and then the morning light shall come back.

Sir, we can pass no Canon, we can carry through no legislation in this Church, which is going to free this Church from hardships and evils of almost every description. If you cut off one source of evil, one source of mistake, another will soon open up, for what is the Church? It is the Church militant, not the Church triumphant, and I, for one, would rather live in an age of turmoil and excitement and contention, such as I have passed through (though, thank God, with many alleviations in the course of my ministry), than live in a Church utterly dead, lifeless, doing nothing but folding its arms and saying, "How good it is to be at rest; we have no trouble; we are all of one mind, and there is nothing to disturb our quietude!" A worse condition for any branch of the Church of Christ, I cannot conceive of. Controversy has its evils; strife and contention have their evils, and very great evils; but out of them all, comes progress, and can any man who looks back upon the history of this branch of the Catholic Church, for the last fifty years, fail to see that we have progressed?

I know that my friend from Virginia, who has spoken of the terrible losses of the English Church, knows, and will sustain me in saying, that that has not been the spirit of the great body of the Anglican Communion for the last thirty years. Amidst all our turmoil and strife, this Church has risen. Look at the Church of England. Compare her strength to-day with the condition in which it was, the first time I went to England, forty years ago. Is there any comparison? Look at her whole colonial Episcopate, with all the blessings that have grown out of it; look at her work at home; look at her work in every parish; see the life, the energy. Would any one exchange that for the miserable quietude and death of the last century, until that sleep was broken by the Fathers of the present Evangelical party in this Church? No, sir, not one. And I believe that, although we may have to struggle on for another half a generation, perhaps more, with something like the same difficulties we have had already, we shall go on rising and strengthening, as we have done. That is my faith. I have faith in this Church, because I believe her to be a true, integral, living branch of the Catholic Church of Christ. I trust the Great Head of the Church, that His promises will be fulfilled to us; and amid all our internal dissensions and strife, amid all our conflicts with the world, the flesh, and the devil, and with all the errors that are rife around us, I believe that, if we are only faithful to ourselves, and if the spirit which has shown itself in this Convention, be intensified and perpetuated, we shall go on conquering and to conquer. The truth of God is mighty; the Church of God is powerful; the Spirit of God is omnipotent. If we will but seek His help and do our duty and bear meekly and patiently our trials, there can be no doubt as to the future of this Church. I may not live to see it; but those who come after me, will see this Church even more than it has been, a glory and a praise in this land, taking the lead in every great measure for the regeneration of society, and for spreading abroad, here and throughout the world, the glorious blessings of the Gospel of Christ.

Mr. WELSH, of Pennsylvania. I rise to ask a question merely. The Chairman of the Committee desired me to present the subject from the standpoint of a practical layman, but I understand I may be out of order.

The PRESIDENT. No, sir; you can proceed.

Mr. WELSH, of Pennsylvania. I will state first a difficulty that arose in my own mind touching one of these sections, which induced me to move, in committee, that it be not adopted. It was the second paragraph of the second section touching the Canons of the Church of England. I was not prepared for it, for it seemed to me as if we were opening up a misty something that we could hardly grasp. In the course of the discussion, however, I became perfectly satisfied that Bishop White, whom I have always revered since he laid his hands upon me in confirmation, had declared that those Canons have binding force upon this Church; and I was very fortunate, indeed, in meeting with a Rev. gentleman who is here and who is respected by you all, who heard him in his address to the Convention of the Diocese of Pennsylvania make that statement.

Then, again, looking into these Canons as fully as I was able to do, with the help of those who are thoroughly familiar with them, they assured me that throughout the whole of them there was not one solitary germ of Romanism; that they were prepared at a time when the Church was thoroughly Protestant, when there was no dallying with Rome. After the subject had been thoroughly discussed, I became sensible that this provision ought to remain in this Canon, and would be a great easement to the mind of the whole Church.

The practical application of these Canons, to my mind, was this: Those usages in England that are claimed by certain people so far as they have not been abrogated by Canon, have troubled us. This cuts off the whole of them. This brings us down simply to the Book of Common Prayer, to the decrees of General Conventions, and to certain Canons that have been well described by Hoffman, reduced in number, and brought entirely within our reach. By a vote of this Convention, they can be abrogated, but it is found that if they are, there will be some practical difficulties. Therefore, you see in the closing resolution that this Committee desire to have them thoroughly examined, and if any new legislation is needed to cover points that are covered by those Canons, that legislation can be presented to the Convention, and if any of them should be abrogated, they will be able to do it.

I must confess it was a perfect delight to me to unite so cordially with the reverend gentleman from Virginia, because his happy illustration brought out the point that if we attempt to put new wine in old bottles, there will be ruin.

Now the Committee of the House of Bishops asked for special and minute legislation. They asked for that which I believe no man on earth could give. I have never seen the man who would dare to prepare a Canon such as they asked for. The committee thought as it was a growing Church, and as we have greater evidence of it now than ever before, they had better place this Canon in a form that will allow as great a liberty as possible without impairing the doctrines of our Church.

The other day when on the floor I referred to Germany, and by one of those strange providences that have been marking the whole course of this Convention, I chanced to-day to hear that the Secretary of the Italian Reform movement had just received a letter from one authorized to speak for Dr. Dollinger, actually beginning to make overtures to the Church of England and the Church of America. That letter, I understand, is being translated and will be read in

the House of Bishops. I wish it was here, for I think the members of this Convention would then be perfectly satisfied that there must be a large liberty allowed.

I referred the other day to what I believe to be perfectly true in England, if not in this country, that the men who have been guilty of the extravagances complained of, have been the leaders in a reform movement; and I was delighted to strike hands with the eloquent gentleman from Virginia who first spoke. He is prepared for the movement so far as free churches are concerned, and in time the whole Church will be so. I feel that we have suffered by reason of the extravagances of these reformers. But I remember that there was great irreverence in God's holy temple. I remember that once a money-changing spirit had taken possession of the Jewish people and it was carried into the House of God, and that our Lord with a scourge of small thongs attempted to remedy that difficulty. I am perfectly willing to bare my back to all the disgrace these people may bring upon us if they will in any wise aid us in curing our Church of that want of reverence which has been so manifest.

In the Canon now reported that point is brought out prominently; for, remember, this looks to both sides. What the Bishops asked us to do seemed to look to but one side. The language here used is:

"For the greater uniformity and simplicity of the public worship of this Church—for the more effectual enforcement of due habits of solemn reverence in its congregations."

I think I speak the mind of the House in saying that that is something devoutly to be wished for, to be prayed for; and I must frankly confess that so far as I have had the opportunity of observing this movement, it has tended toward that thing.

Again, we all know the difficulties of our present position. We know that there are great outlying masses that we have not reached. However awkward or ungainly the attempts of these gentlemen may be to reach them, so far as I have observed some of those operations in England, they have reached them. All members here may not be thoroughly familiar with that great outlying mass, who are precisely like those who created the recent trouble in Paris; and unless our Church liberalizes her policy, unless we can go to the homes of these people and win them to Christ, unless we can welcome them to the House of God, our future will be like that of Paris. Those who read the details of the occurrences in Chicago during the recent great fire there, saw that even in that new city there were just those elements there. Instead of sympathizing with the poor, houseless people, we have seen men come out to rob, to murder, to wreak their lust upon women. People little thought that there were such materials there. There are such materials in all our large cities. Hence, if we, by stringent legislation, check a movement that I believe will be overruled by God for good, we certainly shall be the losers.

Objections to this Canon will probably arise from two classes: one, those who want no legislation. I think they are few. I think their number will be limited. That something ought to be done, is clear to almost all minds. Objections will be made by another class, who want very stringent legislation. That is the natural desire of the human heart. We are naturally inclined to apply force first; but, sir, we cannot cure the difficulty by that; we may ruin by it. Hence, this Canon was framed in a way that was likely to produce, according to the judgment of that large committee, the greatest amount of harmony and as great an

amount of conformity to a certain standard, as was possible in a Church spread so far throughout our large country. They did not propose stringent legislation, because we have done but little as a Missionary Church, therefore we have not reached the point at which we can say we will stop. If we are going to the African, if we are going to the negro at the South, if we are going to the Indian, we cannot, until we test it, determine what amount of Ritual we can use.

The Rev. Dr. FRANKLIN, of Indiana. Let me ask the gentleman a question, before he takes his seat, upon a matter to which he has given special attention. The language of the second sub-section of Section 2 is: "The Canons of the Church of England in use in the American Provinces,"—a very indefinite term. The term which would naturally be used, the significant and technical term would be "in force in the American Provinces." Is there any reason why the term "in use" was there chosen instead of the obvious technical term "in force" in the American Provinces?

Mr. WELSH, of Pennsylvania. There was.

The Rev. Dr. FRANKLIN, of Indiana. I should like to ask another question. This Canon speaks of "The Canons of the Church of England." Why not "Canons and usages of the Church of England," as is common—not the habits of any particular individual or the misusages of any particular place, but the settled acknowledged usages of the Church of England, for around the written Canon law there is a great atmosphere of unwritten law which we call usage. Was there any reason why that word was omitted?

Mr. WELSH, of Pennsylvania. There was.

Mr. BURGWIN, of Pittsburgh. I wish to ask a question of the gentleman who has taken his seat and who, as a member of the committee, is the only one who can answer it. It is, whether in the discussions which took place in the committee, it was called to their attention that it had been decided by the highest tribunal in England that the Canons of 1603 were never in force in England? I simply ask leave to read an extract from what is considered the highest text book upon English law. It is from 1 Blackstone's Commentaries, page 83. It reads in these words:

"As for the Canons enacted by the clergy under James I., in the year 1603, and never confirmed in Parliament, it has been solemnly adjudged upon the principles of the law and the Constitution that where they are not merely declaratory of the ancient Canon law, but are introductory of new regulations, they do not bind the laity, whatever regard the clergy may think proper to pay them."

On the same page, in referring to the statute of 25 Henry VIII., Chapter 19, which of course was passed some time in the 16th century, in 1530 probably, which provided that a revision should be made of the Canon law of England and until such revision should be completed, the Canon then in use should be in force. Blackstone states:

"Upon this statute now depends the authority of the Canon Law of England."

And he goes on to state that there are no Canons since the act of 25 Henry VIII., which are in force and binding as the law of the land in England.

I merely ask for information, and with a sincere desire to obtain the information, whether this matter was brought before the committee and entered into their discussions, and whether, in determining that these Canons were in force, they have acted upon the

supposition that the Canons of 1603 were binding in England, and therefore binding here?

Mr. WELSH, of Pennsylvania. I do not remember that that specific point was raised in the committee. I think there are on that committee, some of the best Canonists of our Church, and they believed that those Canons, so far as they were used in this country, had binding force, and they say it has been so ruled in this Church from the beginning.

The Rev. Dr. STRINGFELLOW, of Alabama. Mr. President, I did not intend to take part in this discussion but I have changed my mind for two reasons. In the first place, I noticed in this morning's paper an inquiry addressed by one of the members of this House to the Chairman of the Committee on the part of this body in reference to the vote taken when the Canon now before the House was presented, and inasmuch as the vote was there explained and the number voting in the affirmative and the number voting in the negative stated, I having voted in the negative feel it due to myself to assign to this Convention the reasons for that action, and the part that I took in reference to the Canon now before it.

I feel a great deal of hesitation and diffidence in taking part in this debate, especially after having listened to the learned and eloquent remarks of the delegate from New York in reference to the perpetuity of the Church, all of which I firmly believe. But I would humbly submit that the question now before the House involves simply two principles: In the first place, do the exigencies of the time demand any legislation; and second, if they do, what form shall that legislation take? In every speech on this floor to which I have listened, it has been taken for granted that legislation is not only desirable, but loudly called for by the existing circumstances of this Church. I join issue upon that assertion. I do not believe that there is to-day, the slightest necessity for any legislation more than we already have in the Rubrics and Canons of the Church.

I will also say that while I listened to the remarks of the Delegate from Virginia, who discharged the duty assigned him by the Chairman, I was perfectly amazed when I found he was not on my side. I really believed that he was urging the strongest reasons why the Church of God in this age should have no cast-iron rule by which her clergy should be bound in every part of this country in reference to a Ritual. Are we not told that the very decrease of the Church in England is owing to that cast-iron rule requiring every man to commence his service with "Dearly beloved brethren?" Is not this the very reason assigned? And yet we are urged by the very same gentleman to come and bind the hands of the clergy throughout the length and breadth of this land without any reference whatever to the peculiar circumstances of the case, and instead of requiring every man to say, "Dearly beloved brethren," requiring him to stand as it were at a certain place in the Chancel, and observe certain rules and regulations laid down by the Bishop of the Diocese according to his own judgment.

I have said that I do not believe the exigencies of the case demand any legislation whatever on the part of this Convention. Anticipating that this matter would come up I took special pains during the last year to inform myself upon it, and I speak advisedly when I say that neither in the committee of which I was a member, nor in the published and official addresses of any Bishop in any diocese in this country have I ever seen the slightest allusion to any irregularities which he was not able to control. The Bishop

of Western New York in his address thanks God that there is no lawlessness in his diocese. The Bishop of New York, as I have reason to know, has the matter of which such great complaints were made three years ago, entirely in hand.

It is very common for persons now to talk about Ritualism and to class everybody with the party of the Ritualists, who differs from their opinions and their mode of conducting services. Why, sir, I have never seen the Ritualists. I know not what the term means. It is a term that I cannot define. I should like to see a living specimen of one in order that I might see what he looks like. I can tell members an anecdote as an evidence of what I mean of how easy it is for mere popular opinion to regulate what may be the action of a Bishop in the premises. In the city of Montgomery about two years ago, I had occasion to enlarge my church. The change of the organ from the choir to a room provided for the purpose started at once the idea that their new Rector was a Ritualist. Having heard this, I gave notice, contrary to my usual practice, for I never give such notices that on the next Sunday I would preach a sermon on Ritualism. I did so. In the course of about two months I was over in Columbus, Georgia, and while visiting there a servant told me that there was a lady in the parlor who wished to see me. I went down and found an old Scotch Churchwoman whom I had met almost every day for three or four months previously by the side of one of my parishioners who finally died. She said to me, "Doctor, I called to thank you for the sermon I heard in Montgomery sometime ago." I remarked to her that she had been there for several months and I could not tell which one she meant. She said, "The sermon on Ritualism." I told her I was very glad she had heard it and asked how she liked it. She said "I have heard so much of that fellow Richelieu [laughter] that I have been under the impression he was the vilest man on earth, and when I heard your sermon I came to the conclusion that if we only followed him, the Church would do the Master's work and would convert the land." That was her idea of Ritualism.

I am not speaking in behalf of those who think Richelieu was a very bad man or a very good man; but I hold there is not the slightest necessity by any documentary evidence, whether the addresses of Bishops or otherwise that have been brought before this House, for this Canon; but we are simply taking it for granted just as during the past year nearly every man has been feeling for the weak brother, and the weak brother is hardly ever to be found.

Before we come to vote on this Canon we must decide, first of all, Is there any necessity for it? We have heard from the delegate from Philadelphia that there does not, in his judgment, exist the occasion for it now that did three years ago; or, in other words, the action of the House of Clerical and Lay Deputies, referring to the Bishops all these matters, has thus far been amply sufficient. It has controlled every irregularity wherever the Bishop has chosen to exercise his authority, and hence it is well, in my judgment, to "let well enough alone." So much for that.

But there are great evils that in my judgment will arise from the enactment of this Canon. I yield most readily to all that the delegate from New York has said in reference to the first section, but I differ with him most decidedly in his explanation

of the last. He says, very properly, that this Canon will not enact any new law which has not been in force in reference to the Ritual of the Church hitherto. But then, on the other hand, the question comes up: Is it wise for us, even in this shape and form, to reiterate that law? What is the object of it? Not merely to promote uniformity in worship; not merely to have every clergyman bound by the same laws—and that never can be, for every Bishop will interpret it according to his own preconceived opinions—but it is also to allay excitement; it is to produce harmony; it is to cast, as it were, oil upon the troubled waters; to say, as the Master once did to them: "Peace, be still." I hold that so far from doing that by this legislation, we open up a cause of difficulty which we have never conceived of, or as one of the committee said, and as he is here, I will repeat his own words, used yesterday in the Conference: "We are entering upon a sea the border of which no man can determine."

What is the difficulty? I hold, as was so beautifully and touchingly expressed by the delegate from Maryland, the Rector of Grace Church, instead of binding the hearts of the pastor and the people into one, we are saying to our congregations throughout the length and breadth of this land: "Whenever your rector does a single thing which, in your judgment, is not right, do not stop but march at once to your Bishop and demand that he give you a written decision in reference to the question, so that, whether it be the erection of a cross in a procession, or a surpliced choir, or whatever it may be, it may settle once for all, the conduct of your rector."

I yield to no man in deference to the authority of my Bishop. I thank God that, in a ministry of twenty-one years, I have never yet had him to tell me to stop any of my practices or any of the services in which I was engaged; and if he had, I certainly should have done it. While I yield to this, yet, at the same time, our Bishops are fallible men. They can possibly err, they may possibly take a wrong interpretation of the law of the Church in reference to a matter before them. The Bishop, however, decides. Does the decision of that Bishop die when the Bishop dies? Does it not stand there, not by statute, but at least will it not have the force of a judicial decision that has been rendered by a Bishop in reference to a matter now brought before him? And when the appeal comes on the part of the vestry, the decision is made by the Bishop,—it is given in writing. The rector is bound by that decision, even although every other Bishop in the Church may unite in the expression of the opinion that the decision of the Bishop interested was wrong. What is the rector's redress? None whatever. He has no redress whatever, until—mark the words, gentlemen—until two of the Bishops have decided differently. Then, and not till then, the matter comes, by memorial or otherwise, before the Bishop. He is compelled to take the word of his Bishop on an immaterial point, brought about, perhaps, by some factious

person in his parish. His hands are bound. He has to bear, as Dr. Haight has said, the shackles through the rest of his life, or at least so long as he lives in that diocese; and he has no redress, except in the instance which is provided for by the latter part of this section.

Now, sir, I hold it to be a great evil—a great evil to the clergy, and also to the people—if we send abroad such legislation as that at the very moment when, according to all testimony, everything looks brighter, everything looks more calm: when, on the one side, men are toning up to a higher observance and appreciation of the services of the Church, and on the other, according to the testimony of those who are in a condition to know, the extravagances of which complaint was made during the past three years have almost entirely disappeared, and we are literally becoming to be of one accord and of one mind.

One word more, and I am sorry that I have trespassed thus long on the attention of the House. I felt it my duty, however, as a member of the Committee, to give a reason so far as I could, in my own humble way, for the manner in which I have discharged the trust committed to me. I have a word more to say in reference to the position of the Bishop. Suppose a clergyman refuses to obey him? I will take that case. He is then brought up to be tried. For what? For false doctrine? No, sir.

Mr. WHITTLE, of Georgia. Before the gentleman leaves the branch of the subject that he has been discussing, allow me to ask him a question, as he was a member of the Committee? It is in relation to that proviso to which he has alluded:

“*Provided*, however, That contradictory determinations shall be subject, on memorial, or otherwise, to revision by the House of Bishops.”

Does that mean contradictory determinations by the same Bishop?

The Rev. Dr. STRINGFELLOW, of Alabama. No, sir; two different Bishops, as I understand, and I am informed by the Chairman of the Committee [the Rev. Dr. Mead] that my interpretation is correct, that nothing can come before the House of Bishops until two Bishops of different dioceses have made contrary decisions. That is certainly the interpretation put upon it by the Committee. To get back to the question which I was discussing: Suppose a clergyman refuses to obey the Bishop? He would come up for trial. For what? False doctrine? No, sir; but he would come up for trial on a question on which he might as well have no trial. He comes up on a charge which he admits and pleads guilty to at the very start, and that is, disobedience to his Bishop. There is no provision here, when he comes before his Bishop, for the reconsideration of the Bishop's opinion, but he comes up to be tried for a thing which he is compelled to admit, and that is simply disobedience, the violation of his Ordination vow; and that stands, as I have said, before the Church, even though the unanimous voice of that Church, could

it be expressed, would pronounce that that decision of his Bishop's was an erroneous one.

If this Canon had the clause first brought in, (and perhaps some gentleman may yet move it; I know there are one or two of the Committee who were very much interested in it), providing, not that this matter should stand until two Bishops act, for every Bishop that you get a decision from only increases the probability that that decision will be sustained in years to come—I say if the last section contained a clause that when such a case had been decided by the Bishop of the diocese, there should be selected three Bishops by the person desiring a re-hearing and three by the Bishop of the decision, and that their decision shall be final, the objectionable feature to which I have alluded would be removed, for the simple reason that whenever the Bishop laid his inhibition upon any clergyman, he might at once, through his vestry or himself, ask a re-hearing, the Bishop summoning three Bishops and the rector, or vestry summoning three to decide the matter then and there. But it does seem to me, brethren, taking this Canon just as it is, to throw it broadcast upon the Church and to tell every layman, “You can now present your rector, not for formal trial, but you can stop just what you please, provided your Bishop happens to think with you.” I think it will open a door for litigations; it will open a door for trouble, for breaking up that bond between the rector and his people to an extent of which we have no conception at present.

I leave the subject, having expressed as well as I could my objections to the Canon. As I said before, they are honest, I am pleading for no Ritualist, for no set of men. I am acting, as I trust, in the sight of Almighty God, for what I believe to be the welfare of His Church, the promotion of unity and harmony and concord, so beautifully displayed in this Convention, and for which I shall never cease to thank Him.

The Rev. Mr. SCHEETZ, of Missouri. Allow me to ask the gentleman where he finds that an individual or congregation can present this subject to the Bishop.

The Rev. Dr. STRINGFELLOW, of Alabama. I meant the vestry. The complaint is made either by the vestry or the rector.

The Rev. Dr. SCHEETZ, of Missouri. Not by individuals.

The Rev. Dr. STRINGFELLOW, of Alabama. No, I meant the vestry. I meant that a vestry can act in that way.

The Rev. Dr. BEERS, of Wisconsin. As respects several features of the Canon reported, there was a minority as well as a majority in the committee, and how far this minority under that suggestion extends, I certainly do not know. I mean that there was a difference of opinion in committee as respects several features of the Canon reported. It was understood that we were at perfect liberty to hold and to express our views on this floor, although there was no factious opposition, but an entire willingness, that the report which has

been read should be submitted to the judgment of the House, and I believe a disposition on the part of every member of the committee, if it was the judgment of this House that the Canon reported should be adopted, to acquiesce entirely in its adoption and to be satisfied.

In the first place, some of us objected to it in its present shape, on this ground: If you will recur to the history of this action, so clearly stated by the reverend deputy from Connecticut, who was chairman of our branch of the committee, you will remember that this House asked the House of Bishops for a rubric on the subject of ritual. Not to trace the process down to the present moment, the first objection is that we asked of them bread and they have given us a stone. The bread of rubric was asked for with which we might nourish ourselves. They have given us, as some think, in answer to that request, the stone of Canon with which men may be ground to powder. I do not say that that will be so: but I say that that is the first objection in the minds of some to the present form of remedy proposed, not to raise the question whether a remedy is needed or not, which has been spoken of by the deputy who has just preceded me. I will not occupy the time of the House with that question. I have my own conviction, a conviction that perhaps is reached by another line of reasoning than that which he pursued, that no remedy is necessary in any such sense as is held here. But the objection is that the remedy proposed is not the kind that would, if any remedy could, be effectual to the result. You enact a Canon, and practically after you have enacted it, it is put away out of the sight of the people who compose the worshippers and communicants in this Church. How many of the laity ever see the Canons of this Church unless a question of controversy arises that turns upon a Canon. A rubric is in the Prayer Book which is the manual of every member of the Church as well as of the clergy and Bishops of the Church. That is the Common Prayer; it is in the hands of the common people, of all the people, and any legislation or law of ritual that affects directly the people as well as the clergy and the Bishops, should be so placed that a worshipper at any time by his fireside or in the Church is able to turn right to the rubric that contains the law that governs the question of ritual and settles a practice that offends him by excess, or that distresses him by defect.

But this, after all, is not the most serious objection, and perhaps, let me say, that possibly no objection which may be urged ought to be fatal to the passage of the Canon, for I am free to say that, if we are to have legislation on the subject, I do not believe this House will, at this stage of its proceedings, and in its present temper, under all the circumstances, procure any legislation that will be as satisfactory as that contained in the Canon on ritual, and that will be obnoxious to as few objections, and of as large force, as this Canon.

The first difficulty against it is, that it refers the people, the clergy, and the Bishops to an unascertained

law. It refers to the English Canons of 1603, that were in use on this Continent before the year 1789, and have not been repealed, altered, or amended. This is an unascertained law. What I mean is, the rule referred to as the law of ritual is to be there found, but who has found it? Who has explored that wilderness region and brought out from it something definite, so that any member of this House is able to fix in his own mind what the law of ritual will be as gathered from those Canons? Who can guess, or conjecture? If we raise a committee to make a digest of those Canons which shall be authoritative, if adopted by the General Convention as the law of ritual in this Church, so far as that section of this Canon has bearing, who is able to guess, even in his own mind, what will be the result?

I take it that a principle which absolutely controls all enlightened legislation and jurisprudence is, that in legislating for the governance of men, even in the slightest particular, you are under obligation to make your legislation clear and distinct, so that the wayfaring man, though a fool, need not err therein if he takes the proper counsel and heed; so that he who runs may read. It is a cruel thing, even in civil legislation, and acknowledged to be so, to place over men's heads a class of legislation that the most law-abiding person must confess, after the most pains-taking research, he is utterly unable to know. It would be worse a great deal than legislating in the Hebrew tongue for the American-speaking people, because there are enough scholars to interpret the Canons into a tongue "understood of the people," and then they would know what it means. I know that in a general way it may be said, that there are only about twenty or thirty of those Canons which were so in use, if we actually knew the number; but no man can know that number. Another question is how far they apply. The language is, "in use before 1789." I tell you that this Church must raise up a class of men addicted to historical research, who will have to apply themselves with unexampled industry before they shall have scanned that whole region to which we are referred in order to know what portions of the Canons of 1603 were so in use. If the word "force" had been used it would have been definite because all unrepealed Canons are in force, whether they are in use yet or not. I will leave it to others to refer to Canons that we actually do know were in use; but that is not the point.

I know that gentlemen who have spoken and who will speak upon the subject, have said and will say that if you vote down this Canon it will make no difference; the Canons referred to in it will still be in force. But I answer that this argument proves rather more (like an indiscreet witness sometimes in court) than it is brought to prove. That is, if the Canons of 1603 are in force now, what need of that section of this Canon which declares that they shall be one source whence you are to draw the law of ritual in this Church?

Either they are in force or they are not. If they are in force it is not necessary to take this action; if they are not, this action brings a new force, a new power into the field, a new element into operation. But I take it this is a pretty fair statement of the matter, that though in a certain sense in force, practically those Canons have been obsolete for a hundred years on this continent as any living operative power. For all such purposes they have been dead a hundred years. The action of this Canon, if it is adopted, will be to wave over the graves, where they sleep in such deserved peace, and with such respect as we give to all old and venerable things, an enchanted wand that wakens them to life, and like the dead sailors in the Rhyme of the Ancient Mariner, they spring to their feet again and begin to apply themselves to the old tasks that had occupied their lives.

Let me observe, in passing—I desire to say it because I think it ought to have some weight—that every objection which rests in my mind against the details of the proposed Canon is an objection that would have just exactly the same force if I occupied any other standpoint. As a Low Churchman I should have the same objections; as a Ritualist the same objections (neither of which am I); as an ordinary, average Churchman (which I claim to be), the same objections. These objections are not founded on any peculiar party predilections or apprehensions or desires; they are general objections, such objections as it seems to me all are equally interested in; the one that I have spoken of, the vagueness, the unascertained condition of the law of ritual; and in addition to that the apparently unascertainable condition of the law of ritual, so that it is not improbable that two hundred years would pass away, and a multiplicity of decisions be had before that law could be presented in a rounded, out, complete, perfect form to the mind's eye of the Church as its law of ritual.

The next objection is (and I find it extremely difficult to state this just as it is in my mind), that it does seem to me that the provision of the section which contains the force of the whole Canon is not quite adequate to the case. I understand that the temper of this House in the year 1871—and its temper changes I am quite sure from time to time, it being made up of human beings—is a temper that delights in the strongest expression of admiration for the Episcopate. All I have to say about this is that it is somewhat superfluous in this Church for such expressions to be constantly made. We have put ourselves on record upon that subject very strongly, very distinctly. I believe there is no doubt on that subject, that this Church believes in Bishops, believes in their just prerogatives, and that it has always been disposed to hold up the hands of its Bishops in the exercise of their functions and of their prerogative. But at the same time they are men; they were once laymen. It would be unwise and would subject our expression of admiration for Bishops to a slight suspicion perhaps of insincerity in the minds of judicious men, if we went on to act

as though they were not men, as though you could say of them as St. Paul said of our blessed Saviour. "That in all points they are tempted like as we are and yet without sin." That was said of one alone, the Great Bishop and Shepherd of the souls of men. In other words, what I mean to say is, that in enacting a law which (if there is any reason for enacting it) may ultimately lead to such practical consequences as will call in question what affects the the comfort, what affects the convictions, what affects the character and the office even, of ministers in the Church, it is not too much to claim that there ought to be no pains spared in not only shaping that law so that it shall reach the object aimed at, and no more, but so that it shall have no unanticipated and eccentric action that may make it kill instead of cure. That is not what we seek, of course; no man seeks this; but we may inadvertently inaugurate such legislation because it is of a peculiar and novel character, as may actually serve a purpose entirely different from that contemplated in its enactment.

Now, I take it that no speaker for a moment assumes that a bishop, and a wise and good bishop, may not err in a matter of this kind, where to err would be eminently human; that is, in ascertaining what the law of ritual is. Still, his decision is final. There is no real remedy against it. I am now speaking of his erring as a matter of fact as to what the law is. I am not assuming that he will be governed by any improper motives. I am supposing that he errs as a matter of fact in relation to what is the law that is enacted by this Canon. We are not to assume that all men, under all circumstances, will be law-abiding if they regard themselves to be oppressed. Always, in legislation, the legislator is to remember that there may be violations of that law. The legislator never says, "Well, what of it? Let the violator be crushed." It may have been said so in 1603, but it is not said so in 1871. There is always tenderness and mercy for the alleged culprit, as well as anxiety for the law and for the society to be protected by that law; that is, there is always a presumption lingering that shows a humane heart, even in civil legislation, that in some way he may not be the culprit that he appears to be, and so every opportunity is given to ascertain this fact by a variety of tests. But in this case, the practical operation of this Canon, I think, would be wanting in this, and for this reason it seems to me that if it goes out in its present shape it will go far, perhaps, in the minds of many, to create the doubt that this Church, which claims to be a mother to her children, is lacking in a mother's instinct, and does not exhibit a mother's heart and tenderness toward them. In other words, there ought to be some provision in the Canon—and if that provision were in it I am quite sure nearly every practical objection that is of sufficient force to turn my vote would cease to operate—by which a presbyter, or a party aggrieved under its operations, should be able, by an adequate or competent tribunal, to have the

merits of the question tried; not that he shall be condemned on the naked fact that he has disobeyed his Bishop, or that he has violated his ordination vow. I speak for this, not in the interest of any possible violator of the law, but because I believe larger and wider interests involved. Is it not something of the greatest importance, that if you pass this Canon it shall find a lodgment in the convictions, in the mind, of the American Church, and that it shall call forth an echoing response of approbation in that mind? You do not want to make a Quaker gun of this Canon, you do not want to fire a blank cartridge to startle the ear of the Church, without its doing any execution. And so there should be the utmost pains taken, even if many deem it unnecessary, in order to guard against misapprehension, to show that this Canon really had the very spirit of equity, the spirit of justice and impartiality, and was determined to look to and secure these at all hazards, even at the hazard, perhaps, of opening some little crevice, some little loophole, through which an adroit and disturbing violator of the law might possibly escape. That is not the greatest calamity in the world.

I shall not be sorry, as I said at the outset, if this Canon passes, I believe this whole agitation and controversy in respect to Ritualism, whatever may be the course things may take to-day, is an omen of absolute good in this Church of ours; that anything is better than apathy; and wherever there are clouds in the sky, even though rain-drops may patter here and there, and though the mutterings of thunder may portend a storm that perhaps is passing across the distant sky, I believe that I see in that bow of promise—made from the just, kind, brotherly sentiments of all parties in the Church, as manifested in that committee and on this floor—a prophecy of a brighter day, a better day, when greater individual tolerance, greater liberty, if it is compatible with unity and with soundness of doctrine, and seeing eye to eye, will bring the man on the left and the man on the right shoulder to shoulder, where they can touch the elbow and march forward under the leadership of the great Head of the Church, from conquering, to conquer, until we can stand up in this land of forty millions of people, and recite these ancient creeds without an internal sense of hollowness in them, when we say, "I believe in the Holy Catholic Church," the Church of this land, recognized by the people from Maine to Texas, from the Atlantic to the Pacific, at harmony and peace together, not because there are not differences of taste and opinion, but because they are all made one in Christ Jesus the Lord.

Mr. MEADS, of Albany. Mr. President, I desire to occupy the attention of the House for but a very few moments. As a member of the committee, I had the misfortune to be unable to concur in the report of the majority; and it is perhaps therefore due, not less to the House than to myself, that I should state very briefly the reasons why I dissented from the conclusions of the majority of the committee.

In the first place, I thought that there was no such exigency as required extraordinary legislation.

In my judgment, there was no such prevalence of the evils complained of; they did not exist to such an extent as to call for special and repressive legislation. It seemed to me that the existing law of the Church, together with the authority that was now inherent in the Bishops, would be fully adequate to all the wants of the case. I think that in every case where there has been any such excess requiring action, and the paternal power of the Bishop has been exercised, it has proved fully adequate to the occasion. And knowing full well the great evil that there is in over-legislation, how often that legislation provokes the very difficulties it seeks to allay, it seemed to me that it was much better to go on in peace, to trust to the work of the Church, to trust to the interest that is awakening throughout the Church in every department of legitimate Christian work, to overbear these things, than to attempt to agitate the Church with legislation, with consequent trials, and thus convulse the Church upon a subject that was foreign from its best and highest work. I shall not go into that subject. It has been so fully presented by one of my associates on the committee, that I shall not detain the House longer with it.

I had objections, also, if we went into any legislation, to the Canon as proposed. There are very many features in the Canon which I think advantageous, but at the same time it seems to me that it is subject to very serious defects. In the first place, I fully concur with my friend, the reverend deputy from New York (Dr. Haight) in the belief that we have a heritage of ritual law, of general law, derived from our mother Church of England, or rather, I should say, derived from primitive times through our mother Church of England, which I should be very sorry to cut ourselves off from. I believe it a part of our right and our heritage, and I would not abate it one single jot.

I recognize very fully the right that every national Church has to make such laws for its own special governance as it may find necessary; but that is not inconsistent with our holding the general body of truth and of law which has come down to us from our mother Church and from earlier times. It seems to me that one of the first objections to this Canon is in its representation of what that law consists in. There is, of course, no objection to the first subdivision that refers to the Book of Common Prayer; we all acknowledge that. The second is, "the Canons of the Church of England in use in the American Provinces," etc. The only objection to that is, that while we undoubtedly have them, happily we have had no occasion hitherto to refer to them; but this legislation will be likely to galvanize into active life a set of Canons which have hitherto been latent, although still existing, and for purposes, it seems to me, rather of agitation than of quiet and peace. The third subdivision, I think, there can be no objection to: "The Canonical or other regular legislative or judicial action or decisions of this Church."

The objection I have to the whole specification, however, is that it is defective; that when you refer simply to the Prayer Book and to those Canons of the Church of England, you refer to but a part of what constitutes the law which has thus come down to us. As I understand that law, and as I

think it has been generally held by English and American Canonists, there is a body of what may be called the common-law-ecclesiastical in usage, in judicial interpretations in various forms, probably derived from ancient Canons originally, but the particular sources perhaps lost sight of, but nevertheless, it is existing, and constitutes a part of the life and power of regulation of the Church, both in England and this country. Its source may be very difficult of precise ascertainment, but still, if we are to adopt a basis of what constitutes our ritual law, it seems to me that that ought not to be shut out, and for the very reason that has been spoken of by the reverend deputy from New York, who desires to hold on to our heritage, I desire to hold on to every part and parcel of it, and not to have one part, by the omission of it, virtually excluded for the future.

We are told that the 3d section of the proposed Canon does nothing more than enact what is now the law of the Church in respect to the power of the Ordinary. If it does nothing more than enact the present law of the Church, it seems to me that in view of the evil of too much legislation it would be better to let it alone. But it is said, somewhat inconsistently with that argument, that it will strengthen the hands of the Bishops. Well, it seems to me, that strengthening the hands of the Bishops beyond what the present law of the Church does is virtually new legislation, and I think if this Canon is examined it will be found that it does involve new and very important legislation. I fully agree with those who say that we believe in the great value of the exercises of the paternal authority of the Bishops. I would be the last man to advise any clergyman, whatever might be his judgment, whatever might be the law of the Church, to disobey the injunctions of his Bishop. But it is one thing to have that done from a sense of filial reverence and modest submission to authority, and another when you transfer that to a Canonical obligation and put it on the ground of the obligation of this Canon. It seems to me that that is just the point of objection there is this Canon, than that which before rested in the paternal prerogative of the Bishop growing out of the relation in which he stood to the clergy is transferred to a mere Canonical obligation. It makes the Bishop, not the adviser, not the father, but it gives him the power to make a written determination which shall be the settlement of the law of that case; in other words, the Canon makes his decision the law of the Church.

Now let us see what will be the difference between the practice under the present state of things and under this Canon. It seems to me that if, under the present law of the Church, a Bishop should be of the opinion that a clergyman was doing something that was unauthorized, and he prohibited him, and if the clergyman saw fit to take the responsibility and to be guilty of the disrespect of disobeying his Bishop, and he were presented for trial for what he was doing, the question would be whether what the clergyman did was or was not authorized by the law of the Church; not whether the Bishop had forbidden it, but whether he was doing something which the law of the Church did not authorize him to do. This Canon, it seems to

me, makes it a very different question. The moment the Bishop has spoken, his voice becomes, under this Canon, the authorized law of the Church. It is no longer a question to be inquired into; but the clergyman disobeys at his peril. If he is presented for trial, the question will be, not whether the ritual was erroneous or correct; not whether he was authorized or unauthorized to do what he did; but simply whether he disobeyed the mandate of the Bishop which had thus been made the absolute and unchangeable law of the Church, unchangeable, at least, unless it should be changed by the House of Bishops. That, it seems to me, makes an entire transfer of this question from one of filial and paternal relation between the clergyman and his Bishop, to one of mere canonical obligation of a very different kind.

Again, although this is, in effect, a trial and a judgment, yet there is no procedure indicated. The Bishop is not even required to hear argument, to have the parties come before him. He acts in his absolute will. His "*sic volo sic jubeo*," it seems to me, makes the end of it at his will.

It would seem, under these circumstances, that some mode of revision should have been provided. This is to be had, not in the case of a single presbyter who may be injured, but, if in different dioceses (for I think that is the fair interpretation of the Canon), different decisions are made. If a clergyman in New York may be condemned for one practice, and a clergyman in Ohio, if you please, approved for precisely the same, then it may become necessary for the House of Bishops to intervene and determine what the law is. It was denied by the venerable framer of this plan that this whole procedure was, in any degree, a trial or a judicial proceeding. I do not know what proceeding it is. Certainly, if it be judicial, it lacks every element of precaution for the preservation of the rights of the party tried. But now there is an appeal to the House of Bishops. It is an appeal under this Canon, under special circumstances. I do not know that that appeal, if it took place, would be of any benefit to the party who had been injured one way or the other. Certainly, if a man this year should be condemned in New York for a practice, and the next year another, and a different judgment should be given in Ohio, for instance, and several years afterward the House of Bishops should take it up, I am afraid the man who was under the first condemnation would be very little benefited by that judgment of the general question, which sought merely to reconcile and harmonize these conflicting decisions. It does not touch him. I do not know that it helps either of them. It is only for the general benefit of the Church that, since a difficulty has arisen, a conflict between the judgments of different dioceses, the House of Bishops should pronounce anew what the law is. Now, what is the character of such an act on the part of the House of Bishops? Are they acting as a court? If they be acting as a court, where is the authority for such an appellate court. If I understand the decision that was given a day or two ago by the Committee on Canons, in this House, there is no power under our Constitution to create such an appellate court; and yet, virtually, if this be a judicial proceeding, it is the proceeding of a court,

and yet there is no power to have such a court. If, on the other hand, it be, as I think it is, rather in the nature of a legislative proceeding, on the ground that, there being a conflict in regard to what the law is, it becomes necessary to pronounce it anew or to reconcile the decisions, then it seems to me to savor very much of legislative power on the part of the House of Bishops, and that, in such a case, is objectionable, because it is legislation by one House, and not by both branches of the General Convention.

It appears to me, therefore, that there are serious difficulties about this plan; and it was for these reasons that I felt myself unable to concur in the conclusion at which the majority of the Committee arrived.

Mr. CRAIGHEAD, of Tennessee. I have no idea, Mr. President, of arguing this question upon its merits, nor should I have opened my mouth on the subject at all except from a personal consideration which I think is due to myself. While I was absent yesterday morning in pursuance of duty, it was reported on this floor by the Chairman of the Committee on Ritual, that there were twelve members of the Committee in the affirmative for reporting this Canon and these resolutions, and three against it.

The Rev. Dr. MEAD, of Connecticut. I beg pardon; I did not report that on the floor.

Mr. CRAIGHEAD, of Tennessee. I beg the gentleman's pardon; I retract so far as he is concerned, but it is in the printed records here before us.

The Rev. Dr. MEAD, of Connecticut. The question was asked me, and I stated that I did not know how it stood; but that the Chairman, on the part of the other House, said, as I understood him, that the vote was 12 to 3.

The Rev. Dr. ANDREWS, of Virginia. The Chairman of the Joint Committee so announced when the vote was taken.

The Rev. Dr. MEAD, of Connecticut. And no objection was made to the statement.

Mr. CRAIGHEAD, of Tennessee. I have to say that it so appears on the printed records, and thus far it interests me; and inasmuch as three members of the Committee have already expressed themselves opposed to the proper action, it would be a very proper and correct inference that all the other members of the Committee were in favor of this Canon and these resolutions. Hence it is that I have risen. I desire to be understood, and I want it to go equally as publicly upon those records, that I, in my humble and insignificant manner, fought against this Canon and these resolutions as best I could in the Committee, and would fight against them here if I were not satisfied of two things: in the first place, that there are other men on the floor who will express my ideas much more forcibly and properly than I can do it myself; but secondly and mainly, because, judging from what I have seen, there is scarcely one, if one, single member upon this floor who has not completely, and to himself satisfactorily, made up his mind upon the question. All I desired was entirely of a personal nature, that it might be so printed that my children hereafter will read with pride, that their father opposed this preposterous action.

The Rev. Dr. GOODWIN, of Pennsylvania. Mr. President, although I have sought the floor two or three times, I certainly do shrink from following in this discussion after such able and eloquent speeches as we have listened to; and I do not expect at all to

put forth anything that is worthy to go by the side of them or to follow after them; but if I must explain to the House why I seek the floor so soon, it is rather that I wish to say what I have to say and then be quiet, being somewhat of a nervous disposition [Laughter]. I shall begin [at the end, that is, at the third section; and call attention to the fact that the object of that section is "for the greater uniformity and simplicity of the public worship of this Church, for the more effectual enforcement of due habits of solemn reverence in its congregations, and out of considerate regard to the conditions under which the extension of the Church is now and hereafter to take place." These are all objects of great moment. That I suppose is undeniable; and if anything be needed to accomplish or further such objects as these, it may be said to be necessary. The declaration following is that "it is hereby declared and provided," etc., whereupon follow substantially the existing law of the Rubric. That existing law is what I wish to call attention to as a practical matter in connection with the remarks we have heard against this Canon. That existing law is that there is an appeal to the Ordinary, as I understand it, including cases of this kind, and I suppose that the judgment of the Ordinary in such a case is not considered as a judicial decision, or as involving the solemnities of a judicial investigation and trial, but is simply a decision of a practical question when it must be decided. When there are parties, when there are different views upon such a question, it must be decided. The Church has always thought that such questions needed to be decided. We are not now to learn, for the first time, or to investigate whether such questions need to be decided. The Church has already provided that there should be an opportunity for a decision. It is not a judicial decision, it is a decision of the Ordinary in his official capacity upon a practical procedure which needs a decision.

Secondly, we have heard a great deal of the hardship of such decisions, and I believe the reverend deputy from New York seemed to assume that there might be very great hardship, that men might feel crushed to the dust, and that they would be left to throw themselves upon the mercy and grace of Almighty God, and to look for relief and reward in the world to come; and so in the remarks that have followed, it has been assumed that men might be grievously oppressed.

Now, Mr. President, I want to call attention to this point, and let us look at it fairly and squarely; what is it about which men may be grievously oppressed? It is a question of ritual observance. Who is interested in determining what is to be the ritual observance in the congregations of this Church? Is a particular clergyman to hold that he is so deeply interested, that the cause of Christ, and of the Church of Christ, is so completely and exclusively laid upon his shoulders, that unless his precise view of what is the proper ritual to be observed, is carried out, he is grievously oppressed, it is a most insupportable case of tyranny? I ask, has he any more interest or any more right in such a case, than his Bishop? The reverend deputy from Wisconsin [Dr. Beers], has given us a good hint, I think, and I am not to stand here to protest that I am an Episcopalian, and reverence my Bishop, having the highest regard for Episcopal authority; but I do certainly think, that here is a practical matter, which calls upon us to consider whether we have so much regard for Episcopal au-

thority, as has always been laid down for us in the rubrics of our Prayer Book.

That is to say, is the Bishop the pastor of the church, in his diocese, to the extent that in regard to these matters, he has a right and he has an interest in the case, and that it is for him to decide, rather than for any other party? Suppose the other party's decision were to stand, notwithstanding all the Bishop could say and do, where is our Bishop? What is he to say? If the poor rector on the other side would be so crushed, what shall we say of the Bishop, with the interests of the whole diocese upon his shoulders, standing as a Bishop of the Church of Christ? What is he to say? Must he submit, be ridden over, and wait for his reward in the world to come? [Laughter.] I do not think we should put our Bishops in that position, to wait for any such recompense for the encroachments of the clergy upon their due authority. Now, sir, the point I want to make is, that there is not any such great and terrible wrong, that could be done under this Canon. If there are two views of the case, I think the Bishop ought to decide.

I say, in the next place, as this is not a thing which it seems to me, should so concern the clergyman, that he must give up the salvation of his soul or resist his Bishop, I think that he had better submit to the dictation of his Bishop for a time. If he thinks that the Bishop's decision is wrong, let him submit for a time; and that is the amount of suffering, of tyranny, and then in due time there is an appeal, an appeal, not judicial, but precisely to accomplish the very end which was had in view here, "for the greater uniformity of the public worship of our Church," so that we may not have one usage established by one Bishop in one diocese, and another in another, and all manner of usages of Sarum and Canterbury, and nobody knows what, all established in the different parts of this country, as they used to be in England. The object is "for greater uniformity," and this uniformity, although not an essential thing, not like the great work of the Church in carrying on her missions, is yet by all human experience, shown to be a matter important to the peace of the Church. I hold (and I need not go beyond that, for I suppose it will be admitted), that this is a matter of some importance. This is "for greater uniformity." There is an appeal to the House of Bishops, and I apprehend that what follows is to be taken into account, "under such rules and regulations for bringing the same before them, as said House of Bishops shall prescribe."

It may be that it would not be necessary to wait three years. That is the greatest extent. Suppose the thing should take place immediately after the adjournment of this Convention, a man might have to wait until the next Convention; but it is not necessary that it should be so. The man then endures the great hardship of yielding his judgment in regard to a matter of ritual, to the judgment of his Bishop for the time being, until he can get an appeal. Then what follows? Suppose the House of Bishops decide for him or against him? Are we ready to leave it there? Have we not seen and have we not been told, and emphatically told, that it is impossible to make a Canon to guard all the little petty details of this business? Yet, uniformity in public worship is a matter of some importance, important to the peace of the Church. How shall we reach it? I must declare that I have sufficient reverence, not only for my Bishop, but for the whole House of Bishops, to be ready to say that, as long as I remain in the communion of the Protestant Episcopal Church, I

shall be prepared to submit heartily to the decision of the House of Bishops on a question of ritual, and I should hold that such a question could not be better decided anywhere but there, and when decided by them, it is the true and proper exponent of the mind of this Church on such a subject, if we would attain uniformity at all. Therefore, it seems to me that that third section is drawn with sufficient care in regard to the objects in view, and the mode of reaching those objects.

It is not a judicial trial. It is not on such a great, terribly important subject in which the clergyman has such an over-whelming interest that he must stake his life upon it; but a mere matter of ritual. It goes to his Bishop to be decided and he may have to wait a little while, submitting to his Bishop in the meantime, before he can get that decision of this Church, which shall be the true and proper decision for us all. Perhaps the language can be improved, but I am ready as one member of the Convention to endorse the third section, and I do not see any better way of getting at a conclusion. There is some legislation in it, as has been shown, and I think it is just what is needed.

Mr. President, I must refer to another part of the Canon. It consists of three sections. In the second section is contained a second sub-section, upon which remarks have been made all around; and if the Convention will pardon me, I must add some crude remarks of mine that are not exactly what has been said already, at all events. It has been maintained that "the Canons of the Church of England in use in the American Provinces," are and have been, whether we say so or not, binding upon this Church. I understand that to be the proposition. The first section of this Canon states that this Church, holding fast its liberty in Christ its Head, recognizes no other law of ritual than such as it shall have itself accepted or provided, and then proceeds to speak of other Churches in distinction from itself; and the first point with me is, is "the Church of England" to be distinguished from "itself." In the second sub-section we have "the Canons of the Church of England" referred to; and in the third sub-section "the Canon of this Church" referred to, and I fail in any degree of logical ability if it does not stand on the face of it, that "this Church" is distinguished from the English Church, and the Canons of this Church are on the face of this Canon distinguished from the Canons of the English Church.

Unquestionably we have a connection with the English Church. Unquestionably we have a great and glorious inheritance from the English Church. The Book of Common Prayer is a legacy of untold price which we have received from the English Church. Our very Constitution we have received from the English Church as an Episcopal Church. Surely we have a glorious heritage. But, Mr. President, it does not follow from this, that the Canonical regulations of the English Church, that the detailed laws of the English Church, are inherited by us and binding upon us. We must make distinctions, and I hold that this distinction must be retained, that our connection with the English Church admitted, was never such that there was no continuity. There has been continuity of life, continuity of doctrine, continuity of organization, continuity in the Episcopal office. There is continuity, but it does not follow from that, that there is this sort of continuity that the whole body of Canon law of the English Church did come down to this Church as its Canon law. An exception may be

made by and by about the word "use;" I shall have occasion to refer to that.

I think that the very Canon itself implies that the Canons of this Church are distinct from those of the English Church. I hold that "this Church" does not mean the Anglican Communion. "This Church" means the Protestant Episcopal Church in the United States of America; and I appeal to the whole Canon law of this Church to prove it. I say that ministers ordained in England and coming to officiate in this country are not recognized *de facto* as ministers of this Church. The very phraseology of the Canon has emphatically distinguished "this Church" from every other national Church on this globe, and the English Church among them.

But again, sir, it is said that certain great authorities are on that side, and the Hon. Dr. Hoffman and the Rev. Dr. Francis Vinton, and Bishops have been referred to, and Bishop White has been referred to. Well, Mr. President, I do not know what Bishop White may have said, or precisely what the bearing of a passing remark of his may have been at any time. But I think I know that Bishop White was not in the habit of bowing at the name of Jesus. I am myself, let me say, if the Convention will allow me to refer to myself, in the habit of so doing and have always been, in reciting the Creed, nowhere else in the service, and I hope I do it with reverence. I never felt any objection to bowing at the name of Jesus.

The Rev. Dr. MASON, of North Carolina. Allow me to say that my reverend brother is mistaken. I believe that Bishop White always did bow at the name of Jesus in every case, without an exception.

The Rev. Dr. GOODWIN, of Pennsylvania. I may be wrong about it; but I have given the best of my information, and moreover I know that in the Diocese of Pennsylvania, to this day, it is comparatively rare among those who in general Church sentiment agree with myself, and I am for that reason a sort of black sheep among them, for I am distinguished by this fact. But I will say no more about myself. Now you see my position. It is not because I object to bowing at the blessed name of Jesus whenever and wherever it is done with reverence and from the impulse of the heart, even on occasions when I might not be disposed to do it myself. God forbid that I should say a word against it. But where it is done as a mere form, where from the whole character of the persons doing it with great parade in church, it is manifestly for mere show, it is a different thing. But of that I have now nothing to say and I come back to the point. I understand that Bishop White was not in the habit of bowing at that holy name. Now the 18th of the Canons Ecclesiastical prescribe, "Likewise when in time of Divine service the name of the Lord Jesus shall be mentioned, due and lowly reverence shall be done by all persons present as it hath been accustomed, testifying" etc.

Mr. JUDD, of Illinois. I wish to ask the gentleman a question for information. The gentleman says that is a Canon of the Church of England. I ask him what he does with the action of the General Convention of 1814, wherein they expressly declare that this Church is the Church of England, and a part and parcel thereof, and I refer—

The PRESIDENT *pro tem*. (The Rev. Dr. Haight, of New York.) That is not a question. You are entering on an argument.

The Rev. Dr. GOODWIN, of Pennsylvania. Perhaps I should not be prepared to enter into an argument on that. If the gentleman thinks he can refute

my position, he is at liberty to do so, and if I am convinced I shall be ready to acknowledge it. I am always ready to do that. I have been converted in this House once. (Laughter.) I may be convinced again.

I am ready to conclude that Bishop White's remark could not have had the weight that has been attached to it. I do not suppose that he recognized that Canon as binding upon his conscience. As the gentleman has referred to a resolution, I will refer to a resolution. If I am rightly informed—for I have not, in the short time since this matter has been brought to our attention, had an opportunity to refer to the original documents—but to the best of my information, it will be found that a declaration was made in the General Convention of 1789 (exactly at the dividing point, precisely where this Canon leads us to turn our thoughts), a declaration was made in that Convention by the House of Clerical and Lay Deputies—I do not, therefore, appeal to it as law, but, as Bishop White has been appealed to, I appeal to it as of some authority in this case, authority for this House, authority more than that of one man, whoever he may be—I say a declaration by the House of Clerical and Lay Deputies, "That the Protestant Episcopal Church possesses no institutions until made for her specially." If you think that is the Anglican Church, hear the rest, "and that we are no further bound by either the Catholic or English Canons when confessedly applicable than as we distinctly, and by legislation, recognize them."

I hold that that has been the position of this Church really from that time to this. It is an independent Church and so declared in the first paragraph of this Canon. That first paragraph declares exactly what this House of Clerical and Lay Deputies declared at the beginning in 1789.

Mr. SHEFFEY, of Virginia. That was the whole Convention then. All sat in one House.

The Rev. Dr. GOODWIN, of Pennsylvania. I was not quite sure whether there were two or three Bishops then.

Now, Mr. President, one thing further. These Canons I admit have moral weight, I am not denying that they have moral force. We ought to respect them. We may look to them for guidance in our legislation and in our action when they do not go against any of our legislation. I am not disposed to detract from their moral weight; but the thing alleged is that they have legal validity, and if so they bind the conscience of every member of this Church.

Now, Mr. President, this is a sad case that we have got into, for I appeal to 9 out of 10, nay, 19 out of 20 of this Convention, if they know in detail what those Canons are? They are said to be law; if they are law we must obey; it is not a thing that we may merely think of some importance and respect, but it is a thing that binds our consciences. And yet we do not know what it is, and our fathers have not known what it is,—obsolete, gone out of men's minds and memories long ago; and that is law and that binds us! I cannot understand that such a thing can be.

Now I turn to another point which perhaps some will urge: is it all those Canons? Oh, no; I am told it is not all those Canons but it is "the Canons of the Church of England in use in the American Provinces before the year 1789." "In

use in the American Provinces," how many of the American Provinces? In each of the American Provinces? In all, or in which? There is a difficult question to determine. How far in use in a given Province? Barely used by somebody, or used by everybody, or used by two-thirds, or how? What it is to be "in use in the American Provinces?" This is to be legislation. So many of those Canons as come under this description are to bind our consciences. We do not know what they are; we cannot determine what they are; no man in this assembly knows what they are. Are we going to vote for this then and go home and say we have voted that we are bound in conscience to obey certain laws *which*, for the life of us, we do not know what they are? I say no man knows. He may think he knows for himself, but speaking for this body no man knows what those laws are; and yet we are to declare that so many of them as were in use at a certain time are biding, are laws. It is not a declaration of what exists confessedly; it is a declaration of what somebody has held in theory and what as a matter of fact would be resuscitating the dead past.

But, Mr. President, still worse and worse, having first by our Canon declared that we are bound in conscience to obey certain laws, but we do not know what they are, then we proceed to say that we will appoint a committee to tell us what they are by and by. [Laughter.] If that is legislation, that is to make law and to bind men by law, of a most extraordinary character, I fail to see anything. If I am to obey law, I claim that I have a right to know what the law is, at least that the legislator shall think that he can tell me what it is; and if the legislator tells me that he binds me by a law, and he cannot himself tell me what it is, and I do not know what it is, I should like to know what sort of a law that is for me, or what respect for law I shall have after that.

In some of these remarks, I think I am not repeating what was said before, and much better said than I could say it; still I rose to make a business speech and not an oration. I think that reviewing the whole matter in that connection, we cannot pass that portion of this Canon. I think I should be very much surprised if the good judgment of this House from all sides, did not object to it. Whether viewed from a Low Church position, as has been said, or a Ritualistic position, or any position, we cannot agree to that; we cannot say that we are bound by laws that we do not know what they are. I think all about the Canons of the Church of England should be omitted, and if I were to propose action in that connection, I should propose that Section 2 be omitted, and that in Section 1, after the word "provided," the words "by the Book of Common Prayer and the Canons of this Church" be inserted. Then we should have this Canon:

"This Church, holding fast its liberty in Christ its Head, recognizes no other law of ritual, than such as it shall have itself accepted or provided in its Prayer Book or by its Canons; meaning thereby," etc.

And then proceed to the third section which seems to me practically to cover the ground desired to be covered; that is to say, to settle in the

best way in which we can settle these little matters of detail, which, after all, so deeply affect the peace of this Church.

If such a modification were to be entertained by the Convention, I should not object to the resolution appended; I only ask that it should end at the date of 1789; and if that committee should find any material on this subject or other subjects that it should seem important that we should incorporate into the Canon law of our Church, then they would have done us a good service.

I have only to add, before sitting down, what had escaped me in the course of my argument, that if those Canons of the English Church are actually binding law, and not merely to be declared so, then why is it that when we make Canons which are not in accordance with those Canons, we never refer to them and never repeal them? Mr. President, from the beginning I believe you will not find that this Church has ever repealed a Canon of the English Church, and yet we have many Canons that are not in harmony with those. The committee have adroitly put in the word "superseded"; but in law that is a curious mode of proceeding. When we pass a Canon that is inconsistent with an existing Canon, we repeal that existing Canon so far as it is inconsistent' and I suppose all reasonable legislation proceeds in that manner. We have never repealed any Canons of the English Church; we do not, when we make Canons, repeal them.

I will instance one example. At the last General Convention we passed a law upon marriage and divorce. We said nothing about any English Canon or Canons, and there are a great many of them, about ecclesiastical courts, and a great many laws there in the Canons ecclesiastical on that subject. We said nothing about them; we assumed that we had no law on that subject to bind our clergy. I ask gentlemen if they did not think so, if that was not the universal feeling among us, that we needed a law because we had not any on that subject? Now suppose the English Canon is binding; we have no law, so far as I know, in our Canons now on the subject of the degrees of affinity, within which marriage is prohibited. I may be wrong, but I have seen nothing in our Canon law as to the degrees of affinity within which the marriage of parties is prohibited. One of those Canons (I need not refer you to it) of the English Church, legislates in detail upon that subject by referring to a former Canon, which gives the details. Among those details is this point, that a man shall not marry the sister of his deceased wife. Some hold that to be good law in this Church. If a man violates it, and there is no Canon on that subject, can you try him? Can you try a clergyman? I know a very good brother clergyman of mine in Philadelphia who has married himself the sister of his deceased wife, with the approbation of all around him; and neither he nor the clergyman that married him, I hold, could be brought to trial for it; but if that English Canon is binding as law in this Church, he could be tried for it. Where are we? Unless we, by our legislation, dig up those Canons and give them life, I hold it is clear they have it not. Some one may say, "Well, then, are men in this Church allowed

to marry within any degree of affinity whatever?" No; but a clergyman of this Church can marry parties who are not within that degree of affinity with each other in which the law of the State forbids their marriage. Where the law of the State forbids the marriage within certain degrees of affinity, the clergyman of this Church is bound to obey that law; and this Church has no law but that on the subject. We rely on the law of the State for it. That is my opinion. Other gentlemen may know better. Let them say. I find no law on that subject.

I think this is conclusive that those Canons are not binding law upon the conscience of the clergy of this Church, and they are not binding upon the laity even in England. I am disposed, therefore, if it should not seem too much presumption in me to propose a resolution that the Canon be amended by omitting the second section, and by inserting in the first section after the word "Provided"—

Mr. SHEFFEY, of Virginia. Offer one at a time

The Rev. Dr. GOODWIN, of Pennsylvania. Well, I submit that first, and the other can be amended by anybody afterward—that the whole of the second section be stricken out, because we do not need the second and third sub-section if a little insertion were made in the first section, and that is the reason why I wanted to propose both together, but I am advised that it would be best to propose one at a time. I therefore submit this motion now, with this explanation, that all that is contained in the first and third sub-sections can be provided for by a very brief phrase in the first section.

Mr. McCRADY, of South Carolina. It may appear very presumptuous in a layman to rise at this stage of the discussion; and yet as it has happened to my lot to look somewhat in this direction, I will venture to say something on the subject.

The reverend gentleman from Pennsylvania proposes to strike out the second section of this Canon. I think if we take time to consider it we shall see that this Canon hangs together from beginning to end, and I think some of my friends who have announced their opinions to-day will learn something more about the Church than they ever knew before if they will only follow it out and understand it completely.

You have heard the difficulty put to you that this proposes to resuscitate Canons. I agree entirely with the gentleman who has spoken and said there was no such idea at all. There is nothing in this Canon to do that. What is the language of the Canon? Let us look at it just as it is. It is not that the Canons of the Church of England shall be in force, but the language is:

"The Canons of the Church of England in use in the American Provinces before the year 1789, and not subsequently superseded, altered, or repealed, by legislation, general or diocesan, of this Church."

Now mark: It admits that there were some of the Canons of the Church of England in use at

that time. Can any man deny that? Can any man deny that there were Canons of the Church of England in use in this country prior to 1789? If any man is bold enough to deny that, he has got to deny the continuity of the Church, for we had no other Canons but such Canons as existed in the Church of England which were adapted to our Provisional Church. It is not that you go to the Church of England for the law of the Canons, but it is because it was the law which you recognized and observed, which you had put in use before the year 1789.

This is very important for us to understand. You did have the Canons of the Church of England as the foundation of your usage before the year 1789, and if you did not have those Canons as the foundations of your usages you have no foundations whatever. It is in that sense, and in that sense only, that you must look to the Canons of the Church of England, and this Canon affirms nothing else. It does not affirm that the English Canon about marriage or about anything else is the law here; but it does affirm that those Canons which were in use prior to 1789 are the law. Why are they the law? Because they are the usage of the Church; and usage, I believe, prevails wherever humanity is and there is a form of polity and law. You cannot escape it; and generally it lies at the foundation of everything. And here we find that these Canons which have produced the usage do lie at the foundation of your usage; and it is the safest thing in the world to go back to those usages and test them by the Canons. Are they usages not warranted by the Canons of the Church of England at that time? Then they are not legitimate usages. Are they usages which were warranted by the Canons of the Church of England at that time? Then they are legitimate, because they grew out of the Church from whence they came.

I believe in the independence of this Church. I do not believe because the Church of England was our mother, that that at all binds us to obey her law. I think it is of the essence of Catholicity that she should assert her independence constantly and always. Nor do I say that we are simply one with the Church of England. I believe that, through her, we are the same Church which the Apostles founded. I believe that we are connected through her with all the Apostolic Churches before her, so that the Church is but one from the days of the Apostles. But shall I be led from that to say, as some other gentleman who has spoken here has said, that every member of this Church is entitled to go back to every usage and every ceremony and every rite that the Church Universal, as they would say the Church Catholic, has anywhere observed? Those rites and those ceremonies were as different as the nations, and they could hardly find one of those rites or ceremonies which they could say was absolutely universal. But I say moreover that this idea of being connected with the Universal Church without being in a particular Church has no foundation.

Mr. EMMET, of Minnesota. Allow me to call the attention of the gentleman to Canon 3, Title IV. It refers to the Canons passed in 1859:

"These Canons shall take effect on the 1st day of January, in the year of our Lord 1860, from and after which day all other Canons of this Church are hereby, and shall be deemed to be, repealed; *provided*, that such repeal shall not affect any case of a violation of existing Canons committed before that date, but such case shall be governed by the same law as if no such repeal had taken place."

Mr. McCRADY, of South Carolina. I am much obliged to the gentleman for calling my attention to that, because it is obvious he does not understand me, and of course, if he does not, there are others who do not understand me. The fault is mine, because it is the duty of him who speaks to make himself understood.

If these Canons of the Church of England have any force, it is not because they were the legislation of another Church, but because they were the foundation of the usages which we had in 1789, because we acted upon them and used them at that time. We did not come together like chaos. We came as organized congregations. We were parts of the Church, although we were not a whole Church. We came together as parts that had been before that connected together by the head of the Bishop of London, and we were one throughout the Provinces. When we lost our head, we lost our bond of union. We were no longer knit together, and therefore we had to come together again, and we did come. We could not come in perfection, because we had no Bishop, but we did come together as we were, parts of the whole. Our several congregations sent their deputies. After they had got their Bishops consecrated they met. They represented the congregations in the different Provinces, or rather different States then.

All these congregations were true congregations of the Church. They had been united, and they ceased to be united because they lost their head, which was the bond of union. When they came together they did not come together without life; they did not come together as if they had had no existence at all; but they came, every one of them, with some life, and they came with the portion of the life of the Church of England that was in them. They came together and they came with the law of life, whatever that was, and at the foundation of that law of life, in many instances, were the Canons. That is what I mean, and if I do not make myself intelligible now, I am willing to meet the question in any other aspect in which it may be put. It is not as Canons at all, it is not as legislation, but it is because from the foundation of our usages they were incorporated in the congregations which met together; and in that incorporation when they came together they made that Church, not of something that had not existed, but when they assembled together in that Convention which formed our first Constitution, they were all living parts of the

Church which had come together, and were once more knit together. That is the continuity of life which we derive from the Church of England, and so far as we are connected with her, and so far as we are to take notice of her Canons which gave us legitimate usages.

Mr. WHITTLE, of Georgia. If the gentleman will give way, I will move that the rule requiring an adjournment at 3 o'clock be suspended for this day.

The PRESIDENT. I suggest to the gentleman if he makes that motion, to fix the time for which it shall be suspended, because we are to have a night session.

Mr. WHITTLE, of Georgia. I have forgotten that. I withdraw the motion.

The Rev. Dr. PADDOCK, of Long Island. If the gentleman from South Carolina will allow me to interrupt him for a moment,—I beg his pardon for doing so, but it is important,—there is, it appears, to-night a second session of this House. There is another matter made the order for to-night; and unhappily it occurs that to-night there is also a most important meeting of the Board of Missions, so that this House, very likely, will be thin if it is understood that the order for this evening, the report on Theological Education, is to be continued. I beg leave to suggest whether we may not make this subject the order for to-morrow morning at 11 o'clock, so that there shall be no sudden resolution to bring this matter before the House to-night when, perhaps, half the members feel they ought to be at the Board of Missions and are remaining away.

The PRESIDENT. Does the gentleman from South Carolina give way to enable that motion to be made?

Mr. McCRADY. Yes, sir.

The motion of the Rev. Dr. Paddock was agreed to.

HOUR OF MEETING TO-MORROW.

The Rev. Dr. GOODWIN, of Pennsylvania. I ask whether we could not meet to-morrow morning at 9 o'clock for prayers, so that we may be able to begin work at 10 o'clock. I make that motion.

The motion was agreed to.

Mr. McCRADY, of South Carolina. I presume I shall be entitled to the floor to-morrow morning when this subject comes up again. I am perfectly willing to go on now, or to give way to an adjournment, just as the House prefer.

The Rev. Dr. MORSELL, of Delaware. I move that we adjourn, with the understanding that the gentleman from South Carolina shall have the floor.

Mr. HASKELL, of South Carolina. As we are to have an evening session, the proper motion would be that we now take a recess until 7 o'clock, and I make that motion.

The motion of Mr. Haskell was agreed to, and the House took a recess until 7 o'clock, P.M.

EVENING SESSION.

The House resumed its session at 7 o'clock, p. m.

STANDARD PRAYER BOOK.

The Rev. Dr. HAIGHT, of New York. Before the House gets to the regular business, I wish to present the report of the Joint Committee on the

Standard Prayer Book, and move its reference to the Committee on the Prayer Book of this House. The motion was agreed to.

SWEDISH PRAYER BOOK.

The Rev. Dr. ADAMS, of Wisconsin. I have a report from the Joint Commission on the version of the Prayer Book in the Swedish tongue, which I should like to bring forward now, in order that it may be referred back to the same committee. Have I liberty to read it?

The Rev. Dr. HAIGHT, of New York, and others. Refer it without reading.

The Rev. Dr. ADAMS, of Wisconsin. The committee wish to have it referred back again to them after it is presented here. They have some change to make in it.

The PRESIDENT. Is not some change to be made in the committee?

The Rev. Dr. ADAMS, of Wisconsin. May I move that this report of the Joint Commission on the version of the Prayer Book in the Swedish tongue be referred back to the joint committee?

The PRESIDENT. The Chair will entertain the motion to recommit the report.

The motion to recommit was agreed to.

The Rev. Dr. PERRY, of Western New York. I understand there are some vacancies on that committee. I move that the Chair be authorized to fill them, and that the committee be continued.

The motion was agreed to.

MISSIONARY JURISDICTIONS.

Mr. WELSH, of Pennsylvania. I move to refer to the Committee on Canons, Message No. 38, of the House of Bishops. It relates to a slight inaccuracy in the Canon touching the missionary jurisdiction over the Indians.

The motion was agreed to.

BURIAL SERVICE.

The Rev. Dr. BURGESS, of Massachusetts. One of the deputies from Missouri (the Rev. Mr. Dunlop) has requested me to present this evening, in his absence, this resolution;

Resolved, That it be referred to the Committee on the Prayer Book whether it be not expedient to request the House of Bishops to set forth a service for the burial of such persons as cannot, because of the first Rubric of the service for the burial of the dead, be buried with that service.

The resolution was referred to the Committee on the Prayer Book.

RELIGIOUS REFORM IN ITALY.

The Rev. Dr. LEEDS, of Maryland. I beg to present to the House the report of the Joint Committee on Religious Reform in Italy, and move to make it the order of the day for Monday at 11 o'clock; at which time I also shall move that one who is now in this country, probably more familiar with this movement than any one on this side of the water, the Secretary of the Commission alone excepted, and who is also in accord and sympathy of the Bishops of Ely and of Lincoln upon this subject, be requested to address the House at that time. I refer of course to Dean Howson, who will be able to enlighten us as to the wisdom of continuing our mission there or of dis-

continuing it. I move in the first place that the reading and discussion of this report be made the order of the day for Monday at 11 o'clock.

The motion was agreed to.

The Rev. Dr. LEEDS, of Maryland. I now move that Dean Howson, of Chester, be requested to address this House on this subject at the same time, he being particularly familiar with it, and being also in sympathy and in counsel with the Bishops of Lincoln and Ely, who have taken very great interest in this subject on the other side of the water.

The motion was agreed to.

PRAYER FOR THE PRESIDENT.

Mr. CORNWALL, of Kentucky. I have a resolution of reference to offer.

Whereas, it is stated in the Preface to the Prayer Book, "that the attention of this Church was, in the first place, drawn to those alterations in the Liturgy, which became necessary in the prayers for our civil rulers, in consequence of the revolution. And the principal care herein was to make them conformable to what ought to be the proper end of all such prayers, namely, that 'Rulers may have grace, wisdom, and understanding to execute justice and to maintain truth,' and that the people 'may lead quiet and peaceable lives in all goodness and honesty;'" and

Whereas, the prayer for the President of the United States and all in civil authority has not been revised as stated in the Prayer Book; and

Whereas, there is not now in the office of Daily, Morning, and Evening Prayer, any petition that our rulers may have grace, wisdom, and understanding to exercise justice and to maintain truth, or that the people may lead quiet and peaceable lives in all godliness and honesty; therefore,

Resolved, That it be referred to the Committee on the Prayer Book to inquire and report on the expediency and necessity of such initiatory action at this present session of the General Convention, as is required by the Constitution, to set forth in its proper place in the order of the Morning and Evening Prayer, the Prayer for the President of the United States, and all in civil authority, revised and made conformable to what is stated has been done in the Preface of the Prayer Book.

I ask the reference of this resolution. If it be a debatable subject I ask to be heard on it, but I suppose the resolution is sufficiently explicit to speak for itself.

The resolution was referred to the Committee on the Prayer Book.

GERMAN PRAYER BOOK.

The Rev. Dr. GOODWIN, of Pennsylvania. Mr. President, as the Committee on the Swedish Prayer Book have their business carried through and as the report of the Committee on the German Prayer Book has been brought in and presented to the Convention, and in presenting it, out of courtesy the Chairman waited for a large number of other reports to be presented which thereby got the precedence, and as it is difficult to bring up this matter, I ask leave to call up the two resolutions that they may be passed or rejected now without debate. I have nothing to say, but will move, if it be in order and I be permitted, the passage of the first resolution proposed which the Secretary may read.

The PRESIDENT. It is moved that the House now take up the report of the Committee on the German version of the Prayer Book, for the purpose of

acting without discussion on the two resolutions reported by the committee.

The motion was agreed to.

The SECRETARY read the resolutions as follows :

1. *Resolved*, That the Joint Committee be continued, with renewed instructions to prepare and report to the next General Convention a version of the Book of Common Prayer in the German language.

2. *Resolved*, That until an authorized version of the Book of Common Prayer in German shall be set forth, it is left to the discretion of each Diocesan to license the use in German congregations under his charge of such formulary in their vernacular tongue as shall be in harmony with the doctrine, discipline, and worship of this Church.

The resolutions were agreed to.

The PRESIDENT. Ought not the resolutions to be concurred resolutions?

The Rev. Dr. GOODWIN, of Pennsylvania. They were resolutions of the Joint Committee, and the form seems not to be so in such case.

THE HYMNAL.

The Rev. Dr. SHAND, of South Carolina. The Committee of Conference, to whom was referred the disagreement between the two Houses, in reference to the second resolution, proposed by the Committee on the Hymnal, being much impressed with the importance of the object sought to be secured by the House of Bishops in the proposed royalty, and notwithstanding differences of opinion among members of the committee upon the abstract proposition of fixing a royalty, and without committing themselves unequivocally to the principle, have concluded in order to test anew the sentiment of the Convention to present for its consideration the following resolution :

Resolved, That this Hymnal, when finally corrected by the committee thereon, shall be free to be printed and published by all responsible publishers who shall obtain a license to that effect from the Trustees of the Fund for the Relief of Widows and Orphans of Deceased Clergymen, and of Aged, Infirm, and Disabled Clergymen, and who shall assure to said Trustees a payment to be applied for the uses of the said fund, equivalent to ten per cent. upon the retail selling price ; and that the copyright of the Hymnal be vested in said Trustees.

This is signed by

ALFRED LEE,
HENRY C. LAY,
HENRY A. NEELY,
DANIEL S. TUTTLE,
J. SHAND,
JOHN N. MITCHELL,
C. LIVINGSTON,
GEORGE B. WARREN, JR.,
O. S. SEYMOUR.

I ask that the report lie on the table for the present.

Mr. WARREN, of Albany. As a member of the Committee of Conference on this subject I beg to say that while representing the evident opposition of this House to the principle of fixing a royalty on any of its publications, yet respect for the opinion entertained by the House of Bishops compelled us to present to this Convention the resolution prepared by the Bishops, without recommending the same, that the House may act upon it according to its pleasure. I feel bound, while personally objecting to the imposition of any royalty on the Hymnal, in justice to the House of Bishops to declare that two great advantages are

secured by this resolution over the second section of the resolution accompanying the original report which this House rejected. The first is that the Hymnal is open by this resolution to competition among all publishers subject to the ten per cent. royalty. The second is that the royalty is to be devoted to a noble charity which touches the sympathy of every true Churchman.

The PRESIDENT. The report will be laid on the table for the present.

BOARD OF MISSIONS.

A message from the House of Bishops (No. 39) announced that that House had passed the following resolution :

Resolved (the House of Clerical and Lay Deputies concurring), That the persons nominated by the Joint Committee, appointed to nominate a Board of Missions, be constituted the Board of Missions for the next three years.

The SECRETARY read the report of the committee to nominate members of the Board of Missions.

The Rev. Dr. BEARDSLEY, of Connecticut. I move that the clergymen and laymen named in this report, constitute the Board of Missions for the next three years.

The motion was agreed to.

CANONS ON ORDINATION.

Several DEPUTIES called for the order of the day.

Rev. Dr. HAIGHT, of New York. Before we proceed with the order of the day, I beg to make a suggestion to the House on behalf of the Committee on Theological Education who proposed the Canons which are the order of the day. Seeing that the great bulk of the matter presented in these Canons is not new, but old—being simply a restatement of the existing law of the Church—it seems not very wise and not a very good use of time to be presenting amendments to the existing law. The object of the Committee on Theological Education was, in the first place, to recast the whole Code of Canons touching this subject, with a view to the removal of discrepancies and contradictions, and to place every point in as clear language as possible, and then to include some additional propositions looking, as the Committee think, towards perfecting the Canons. My suggestion is, that, inasmuch as yesterday, as I understand—not having been in the House—many of the amendments proposed and argued in this House, occupying a great amount of time, were amendments to the existing Canons, and did not touch at all the new propositions of the Committee, we now agree to take up the Canons section by section, and that my colleague, who has special charge of carrying this report through the House, state at the time when a section is read precisely the new points in it; and that the debate in the House in the first instance be confined to those. Those Canons have been printed in this form for the purpose of rendering the whole matter more clear to the House, instead of being brought in in the form of amendments to the existing Canons; and why should we spend our time here in attempting to amend the old Canons, before we have considered whether we will or will not accept the proposed amendments of the Committee?

My suggestion is, that to-night we take up the Canons, not by subsections, but section by section—that the member of the Committee who has the matter in charge shall state the points which are new in

each section—and that the debate in the first instance be confined to those. When we have succeeded in determining whether we will or will not accept the amendments of the Committee, then it will be time enough, if the House has the time and strength, to go into the consideration of the old part of the Canons.

I think this will save an immense deal of time, and facilitate the labors of the House very much. If the Committee had pursued the usual course—if we had not endeavored to be so kind to members of the House as to give them the whole thing printed as it will stand amended—if we had brought in our report merely as amendments—it would have been impossible to consume the time that has been consumed in two days by proposed amendments touching existing Canons. My proposition is—and I hope there will be no dissent—that to-night we take up this draft section by section, and that the member of the Committee who has the matter in charge shall state the new points proposed by the Committee, and that the House in the first instance shall be confined to them. I do not see any possible objection to that.

Rev. Dr. HARE, of Pennsylvania. The only two points in the 6th section of Canon II. which are new are in the 3d and 5th subsections—in the third subsection, that it shall require a vote of two-thirds of all the members of the Standing Committee to give the benefit of the dispensing Canon; in the 5th subsection, that when the Bishop uses his prerogative of dispensing with the Hebrew language, the candidate shall have satisfactorily shown that the attainment of this language by him is impracticable. There are no other points new in the 6th section.

Rev. Dr. PADDOCK, of Long Island. I do not quite understand the proposition of the reverend deputy from New York; but I hope he does not intend either to prevent the Canons being read section by section, that we may observe what we are called to vote upon, or to prevent the honest, brief mention of a fact that strikes one either as an unhappy or accidental use of language which may seem to convey an error.

Rev. Dr. HAIGHT, of New York. By no means. I desire that each section may be read, and that the member of the Committee having the matter in charge, the acting Chairman, state the new points in it; and that the debate in the first instance be confined to those. Let us go through the Canons in that way, and then, if we have time, and gentlemen wish to go back and revise the existing Canons, they can do so; but let us try to get through with the actual amendments proposed by the Committee on Theological Education.

Rev. Dr. PADDOCK, of Long Island. Do I understand that we are to go through the amendments, taking the middle of the page and the bottom of the page, and then, if the Convention have time, to hear it all read?

Rev. Dr. HAIGHT, of New York. No; but if when we have got through with the amendments of the Committee, any gentleman has an amendment to propose to what has been attached, he shall offer it. But my design is to confine the discussion to the points presented by the Committee, and not to go at this time into a revision of all the old Canons that happen to be printed in this form for convenience. I wish the House to discuss the amendments proposed by the Committee on Theological Education in the first instance. I say if we had brought in our report in the ordinary way, simply proposing amendments,

it would have been impossible to have a discussion lasting two days.

Mr. MASSIE, of Virginia. I ask if we cannot reach that conclusion by a point of order. I take it that if a Committee or anybody else offers an amendment to a Canon, it is wholly out of order to discuss anything but that amendment. Now, I understand the Committee present certain specific amendments; how can we go outside of those amendments?

Rev. Dr. HAIGHT, of New York. I would rather get it by common consent than by law. I am sure my friend from Long Island will agree to it.

Rev. Dr. HARE, of Pennsylvania. Let the Secretary read so much of this section as has already been read.

The PRESIDENT. The whole of the sixth section has been read.

Rev. Dr. HARE, of Pennsylvania. Then I beg to say that in the seventh section there is no new particular whatever.

Mr. LIVINGSTON, of New York. Is there not in the third subdivision? I find written on my copy "written notice of desire." I have corrected the printed copy by inserting "written notice of desire." Is not that new?

Rev. Dr. HARE, of Pennsylvania. I know nothing of that amendment.

Rev. Dr. HAIGHT, of New York. I think it is not a correction made by the Committee.

Rev. Dr. GOODWIN, of Pennsylvania. I have it so marked in my copy in pencil.

Rev. Dr. HARE, of Pennsylvania. The copy in the hands of the Secretary is the same as the printed copy, in that subsection.

Rev. Dr. BURGESS, of Massachusetts. Before passing from this section, even with the fear of offending the deputy from New York, I should like to inquire under the fourth subsection, the first paragraph whether it may not be convenient for us at this time to decide whether the twelve members of the denomination from which the persons come, or twelve members of the Protestant Episcopal Church, be, as in the earlier sections of this Canon, communicants. That has been a trouble with Standing Committees for many years, and it seems to me that in passing this Canon to-night, it would be well for us to settle whether they shall be communicants or not. "Members" is not a specific term.

Rev. Dr. HAIGHT, of New York. The Committee offer no amendment to that; it is for the House.

Rev. Dr. BURGESS, of Massachusetts. I understand that the language here is according to the old Canon, but the old Canon did not specify whether communicants or not, and it has caused a great deal of trouble to Standing Committees.

Rev. Dr. HARE, of Pennsylvania. The Committee have no wish to express in relation to that matter, as it did not come within the limits of the matter confided to the Committee on the Improvement of Theological Education.

The PRESIDENT. If the House will permit me, I have a suggestion to make. I am sorry to have to do it myself, but I cannot find any one else to present it. I have looked over these Canons, and I wish to state a fact which came to the knowledge of the Standing Committee of Kentucky last summer, in order that if the fact is thought to be of any consequence, some member may move to strike out the word "licentiate." It became known to us that "licentiates" in some of the religious bodies about us are, many of

them, mere boys, without any sort of theological education, or any pretence to it; never intending, in fact, to acquire any; but when they are drawn to our Church they go through under a six months' trial as we had it before, and it seems to me that that fact being known, the word "licentiate" ought to be stricken out of these Canons throughout.

Rev. Dr. PADDOCK, of Long Island. I am very sorry to be obliged to cause the loss of one moment of our precious time this evening, but I feel bound in conscience to say that there are some of us sitting in this part of the House who are interested in canonical studies, and who perhaps have duties in reference to this very Canon, who must either abandon the attempt to follow these corrections, or we must ask that the Secretary read them, that we may know what we are talking about.

The PRESIDENT. It is intended that the Secretary shall read these sections.

Rev. Dr. PADDOCK, of Long Island. I desire, before taking my seat, to simply assert that three gentlemen have, within the last five minutes, risen in the front part of the House, and turning themselves directly to the Chair, have not been heard in one single word that they have uttered, and we are asked here to proceed in voting, when we do not know anything about even the subject matter gentlemen are talking of. I beg that we may be allowed to proceed intelligently by having the canons read, subsection by subsection, and having remarks offered on each as it is read.

The Secretary read section 7, subsections 1 and 2, of the proposed canon II., as follows:

§ VII. [1.] A person not having had Episcopal Ordination, but acknowledged as an Ordained Minister or Licentiate in any other denomination of Christians, may become a candidate for Holy Orders in this Church.

[2.] Such person must give notice of his desire to become Candidate to the Bishop of the Diocese in which he may be resident, stating, 1st, whether he has applied for admission as Candidate in any other diocese; and, 2d, the ground and reasons of his desire; and, 3d, furnishing sufficient evidence of his standing in the denomination in which he has been Minister or Licentiate.

Rev. Dr. PERKINS, of Kentucky. That term, "licentiate," occurs there again. In obedience to the instructions of the diocese of Kentucky, a request for the construction of that term "licentiate" was sent to this Committee. Shall we hear from the Committee in response to that memorial?

Rev. Dr. HARE, of Pennsylvania. I beg leave to say, that as soon as the House passed that resolution, I sent a note conveying mention of the fact to Bishop Whittingham, the Chairman of the Committee, and that when, on the following day, the Secretary sent to members of this House belonging to the Committee, the paper relating to the matter, I carried it up myself to him at the House of Bishops. The reason why he has not called a meeting of the Committee with relation to that matter is, I suppose, because of the great amount of business which devolves upon him. No doubt it will be done in due time. The first, and I presume, the more important of the two points presented in the memorial from Kentucky was, I believe, satisfactorily met.

Rev. Dr. PERKINS, of Kentucky. Yes, that is met.

Rev. Dr. HARE, of Pennsylvania. The other point will no doubt be met by a call of the Committee in due time.

Mr. CORNWALL, of Kentucky. According to my recollection of the Methodist Discipline, any one desiring to preach the Gospel and expressing a zeal for the work, thinking that he is inwardly moved by the spirit, may be licensed, without regard to his qualifications; and, after he has remained a preacher for four years, he may be ordained an elder. That is my recollection of the substance of the distinction made in the Methodist Book of Discipline between an elder and a licentiate. There is a difference of four years in the studies and preparations for the ministry. I move to strike out "licentiate."

Rev. Dr. McMASTERS, of Minnesota. I have personal knowledge of the fact just stated, and recognize that in some of the denominations, Methodists in particular, it is true that a man may be made a licentiate almost entirely regardless of literary qualifications. Not infrequently, to my certain knowledge their licentiates are of a very low grade of scholarship, and with very little attainments, without any idea of any advancement at all. If they develop talent, make progress, they are advanced to the diaconate and then to the priesthood, or eldership, as they call it. I have often wondered why it is that our Church has seen proper to include the ministers and licentiates together in this Canon. Their licentiates, one-half of them cannot be admitted to orders in their own Churches. I do insist that this motion shall prevail. I trust it will, and that the words "or licentiate" will be stricken out.

Rev. Dr. HALL, of Long Island. I hope that in meeting this case we shall not do a greater injustice, and we are in danger of it. In Princeton, Andover, or any of the larger seminaries, I understand that a young gentleman who has passed through three years of theological education, after going through college, is licensed, or is a licentiate. He is not an ordained minister until he is settled over a parish and ordained to that parish. Now, in the case of a gentleman who has gone through Princeton College and Seminary, or through Andover or New Haven, shall we refuse him the advantage—shall we say that he must go through our entire course over again? The Canon intended to meet such cases, and is not, what we have just heard, a peculiar Western usage. I hope that if we strike that word out, we shall find some way to meet these cases. Otherwise, I think, injustice may be done.

Rev. Dr. VINTON, of Massachusetts. I was going to make a statement similar to that which has been made by the Rev. gentleman from Long Island. Why, sir, this term here and this provision is, in New England, peculiarly applicable. A man who is licensed to preach is as highly educated as a man who receives a parish; and among the Congregationalists, as has been said, he is not ordained until he has a parish. Then he may be obliged, in order to enter our Church, to take a parish to use the facilities of this Canon, and he cannot conscientiously take that parish if he is conscientiously convinced that it is wrong. Hence for a very valuable class of candidates this very term is descriptive, and very necessary for the purposes of this Church. I hope, therefore, it will not be dropped.

In reference to those licentiates who are licensed with inferior qualifications, surely the examinations by the Examining Committees will determine that

matter, and the Bishop is never obliged to admit the person; and, therefore, every standing committee, or every diocese, has that matter in its own hands, and if they find an exceptional case of ignorance they would of course exclude it. But with us, in New England, every case that comes under the term "licentiate" is valuable for the Church, and ought not to be easily cast off.

Rev. Dr. ADAMS, of Wisconsin. I understand that at the Presbyterian and Congregational seminaries they license men at the end of every year; not men simply who have gone through their whole course, but men for the vacations whom they think suitable to preach the Gospel; and as there seems to be a doubt about it. I think it better that we should understand precisely this matter of licentiates from the law of the Presbyterian and Congregational Churches before we open the door so wide.

Rev. Dr. MEAD, of Connecticut. I rise to ask a question with regard to what we are doing. We have already a code of Canons on the subject of theological education, not as well arranged, perhaps, as this code is; but have we the whole of those Canons now before us for amendment, or are we to act alone on the new matter introduced into that code? If the whole code of Canons on theological education which we now have on our statute book is to be brought before us for amendment upon amendment to be presented, the work will be interminable, and the result will be, the session will end and nothing be done. Now, here is a Committee who, with great labor, have arranged and clustered together all that is necessary to be known by standing committees and others in relation to the matter of theological education, or the mode of coming into the ministry of our Church. The Committee have seen it necessary, in making this arrangement, to propose some few alterations. I hold that the alterations which they recommend are the only subject before us. The Canons are already adopted. They belong to our code. Why, then, should we be spending our time so uselessly as we did yesterday in proposing amendments and questioning the propriety of that which is law, and is not before us in a legal manner? I ask, are we to go on in this way, or are we to act on what is represented to us as being new matter to be introduced into our existing Canons?

The PRESIDENT. We have been treating this as a substantive proposition from the Joint Committee on Theological Education throughout, and there is no separation between the new matter and the old.

Rev. Dr. MEAD, of Connecticut. I understood when we began this evening that that was the course to be pursued.

The PRESIDENT. There was no suggestion to that effect, except by the gentleman from Virginia just now, as a point of order.

Mr. MASSIE, of Virginia. I am constrained to raise the point of order distinctly and sharply. I am satisfied we shall never make any progress if we do not pursue that course. I raise that point that when a specific amendment is reported to a Canon, and we are acting upon it, it is in order to offer any number of amendments successively to that proposition; but it is out of order to offer an amendment to some other portion of the Canon which is not before us at all; and I hope the Chair will rule on that point.

Rev. Dr. HOWE, of Pennsylvania. Moreover, if I understand it aright, the new matter which this special Committee has introduced into this series of Can-

ons is not new propositions, new ideas, altered plans, but expressions intended to make more intelligible the purposes of the Church as expressed in the old Canons, to simplify the legislation which we have already, not to legislate in a new way regarding the topics which are before us.

Rev. Dr. HAIGHT, of New York. And my friend, the acting Chairman of the Committee, is prepared to state those points in which the Committee think the interests of theological education demand a change. He is prepared to state every amendment which we propose, and to give the reasons for the amendment. If I had thought of it in having this report printed, I suppose the amendments proposed might have been printed in italics; but it never occurred to me that there would be the slightest difficulty about this matter, until I found the course which was being taken. If we had made up our report in the old way, it would have left the whole thing in a very confused state. We should simply have presented the amendments we proposed, and asked a vote on them. I have no doubt that the suggestion of the gentleman from Virginia is correct, that everything else is out of order except amendments to the amendments now proposed by the Committee on Canons.

The PRESIDENT. I presume the method suggested by the gentleman from Virginia is the proper one, and will so rule, unless the House chooses to adopt a different order, and especially for the purpose of making progress in these Canons, which all of us are anxious to be through with, so that justice is done to the Church.

Rev. Dr. HAIGHT, of New York. I repeat again that my friend, the acting Chairman of the Committee, is prepared to state distinctly, when every section is read, precisely what are the new points proposed by the Committee, and to give the reasons for them.

Rev. Dr. HARE, of Pennsylvania. Then I again say that the particulars in section 7 will be found in the existing digest in title 1, Canon 2, section 8, subsections 1 and 2, and that in the 7th section of the project of Canons there is no new matter recommended by this Committee.

Rev. Dr. PADDOCK, of Long Island. I desire to ask the Chairman whether it be not a new thing in the legislation of this Church that the postulant's application, as mentioned in the 4th subsection on page 10, to the Standing Committee of the Diocese for recommendation, must depend on the Bishop authorizing further procedure? I assert, if I understand the language aright, that that is a new principle in our Canon law. I will read it:

"If, on the receipt of such notice and certificate, the Bishop authorize further procedure, the postulant may apply to the Standing Committee of the Diocese," &c.

The inference being, as was decided by a vote of this House on a case exactly like that on the first page of these Canons, that the language would be so construed as to shut out the postulant from applying, if the Bishop did not authorize further procedure. The amendment that I propose would be to strike out the words, "If, on the receipt of," and the words, "the Bishop authorize further procedure," and to insert the word "after" before "such notice," so as to read:

"After such notice and certificate, the postulant may apply to the Standing Committee."

Not making it depend on the Bishop whether a candidate of another denomination could be permitted to go further or not.

Rev. Mr. SCHEETZ, of Missouri. Allow me to read a portion of the present Canon, Canon 2, title 1, subsection 2, page 18:

"If the Bishop or Standing Committee shall think proper to proceed."

Rev. Dr. PADDOCK, of Long Island. Is that in reference to a postulant or candidate from another denomination?

Rev. Dr. HARE, of Pennsylvania. Yes, sir; I thank the gentleman from Missouri for the citation.

Rev. Dr. PADDOCK, of Long Island. Then I am mistaken.

Rev. Dr. PERKINS, of Kentucky. If that is so, the gentleman's point is still good, for the provision of the old Canon is if, upon recommendation of the Bishop or "Standing Committee."

Rev. Dr. BURGES, of Massachusetts. The Standing Committee is simply the ecclesiastical authority in that case, as is stated in the preceding section. He shall apply to the Bishop, or if there be no Bishop to the Standing Committee; and that is the case in this section, where there is no Bishop.

Rev. Dr. ADAMS, of Wisconsin. The gentleman from Kentucky made a motion in reference to a provision in section 7.

The PRESIDENT. It was ruled out of order.

Rev. Dr. ADAMS, of Wisconsin. I wish to explain in reference to that section 7, subsection 1. There is new matter introduced there, and therefore I claim the right to speak upon it. The old Canon speaks about candidates not having Episcopal ordination who have been acknowledged as ordained or licensed ministers in any other denomination of Christians. Now, this Convention will remember, that in that Canon there are two classes of ministers, ordained ministers and licensed ministers. Both are ministers. In our new Canon that conclusion is estopped, because, instead of ordained and licensed ministers, we have "ordained ministers or licentiates." Now, according to the doctrine of the Congregational and Presbyterian Churches—

Rev. Dr. NELSON, of Maryland. I rise to a point of order. That is old matter.

The PRESIDENT. He is trying to prove it new.

Rev. Dr. HARE, of Pennsylvania. I meant to say that if I rightly understood my honored brother, he is under a mistake, because, in the digest, title I., Canon 2, section 8, subsection 1, the language is:

"When a person, who, not having had Episcopal ordination, has been acknowledged as an ordained minister or licentiate in any other denomination of Christians, shall desire to be ordained in this Church, he shall give notice," &c.

Now it is but a slight change, a change only in the form, when in section 7, subsection 1, of this report, the language is:

"A person not having had Episcopal ordination, but acknowledged as an ordained minister or licentiate in any other denomination of Christians, may become a candidate for Holy Orders in this Church."

Rev. Dr. ADAMS, of Wisconsin. I wish to ask the Chairman whether it is not an understood thing in the Presbyterian and Congregational bodies that there are two classes of ministers—

Rev. Mr. SCHEETZ, of Missouri. That has been decided before out of order.

The PRESIDENT. That is going beyond the authority.

Rev. Dr. MITCHELL, of Georgia. May I ask if the word "postulant," wherever introduced, is not a new word, and in that sense new matter? As I understand it, these Canons, as the Committee say, are not before us, but only the amendments. I understand the Committee to propose, that when we have passed upon the amendments, we shall pass upon the Canon as a whole. If the Canon is already adopted, how can we pass on it and adopt it as a whole? If we do not adopt it as a whole, what will become of the word "postulant" unless we adopt that word.

Rev. Dr. HARE, of Pennsylvania. The word "postulant" was new matter up to 12 o'clock on Tuesday last, but after the decision of the Convention in its favor, it ceased to be new matter, and therefore, I did not mention that.

Rev. Mr. MITCHELL, of Georgia. Then may I ask for instruction, as Secretary, if I shall write on the records the word "postulant," which occurs in the new Canon and is not in the old Canon, unless the new Canon is adopted, and how can it be adopted as a canon if it is not before us for action?

Rev. Mr. SCHEETZ, of Missouri. It strikes me that point is well taken. This report is circulated among us as "amended Canons," without any specification as to what portions are amended. They have been brought up here as a whole. There is scarcely any portion in which there is not some verbal change. I insist upon it that the practice with which we commenced is the right one, and we shall get through in much shorter time and with more satisfaction if we read the report, subsection by subsection, and vote on amendments as they are proposed.

Rev. Dr. HAIGHT, of New York. If the House prefer it, the Committee will withdraw this document and present their amendments simply, and then gentlemen can find out from their old codes where they come in, and see how much time you will save then. We prepared the report in this way with considerable trouble, for the convenience of members and the facilitation of business.

Rev. Mr. SCHEETZ, of Missouri. Allow us to go on as we begun and we shall get through in a very short time.

Rev. Dr. HAIGHT. We cannot do that.

Several DEPUTIES. Proceed with the reading.

The SECRETARY resumed the reading, as follows:

[3.] With the aforesaid notice of desire must be forwarded a written certificate from at least two Presbyters of this Church, stating that, from personal knowledge of the Postulant, or from satisfactory evidence laid before them, they believe that his desire to leave the denomination to which he belonged has not arisen from any circumstance unfavorable to his moral or religious character, or on account of which it may be inexpedient to admit him to the exercise of the ministry in this Church; and they may also add what they know, or believe on good authority, of the circumstances leading to the said desire.

[4.] If, on receipt of such notice and certificate, the Bishop authorize further procedure, the Postulant may apply to the Standing Committee of the Diocese for recommendation; in order to which he must lay before the Committee—

(1.) A testimonial from at least twelve members of the denomination from which he comes, or twelve members of the Protestant Episcopal Church, or

twelve persons—in part of the denomination from which he comes, and in part of this Church—satisfactory to the Committee, certifying that the postulant has, for three years last past, lived piously, soberly, and honestly; and

(2) A testimonial from at least two Presbyters of this Church, certifying that they believe the postulant to be pious, sober, and honest, and sincerely attached to the doctrine, discipline, and worship of the Church; and that, in their opinion, he possesses such qualifications as fit him for usefulness in this Church.

[5] The Standing Committee and Bishop may then proceed as provided for in § III. and § IV. of this Canon.

[6] Should the postulant, applying as an ordained minister or licentiate of another denomination, not be a citizen of the United States, the Bishop, to whom application is made, shall require of him, with the notice of his intent to become a candidate, satisfactory evidence that he has at that time resided at least one year in the United States.

Rev. Dr. WILSON, of Central New York. I suggest that while the Secretary is reading section by section, the acting Chairman of the Committee shall notify us at the close of each section, or subsection, whether there be any new matter in it, and, if new matter, the words that are new.

Rev. Dr. HAIGHT, of New York. He has already said that there is no new matter to the end of section 7.

The SECRETARY continued the reading, as follows:

[7.] But should such Postulant apply on the ground of a call to a Church in which Divine Service is celebrated in a foreign language, (1) the foregoing requisition may be dispensed with; and (2) it shall be in the discretion of the Bishop and Standing Committee to dispense with the testimonials required in § II. and § III. of this Canon, and to accept and act upon such other evidence as in the nature of the case may be obtainable, and shall seem in their judgment fully equivalent; and (3) in such case an unanimous vote of the Standing Committee, at a meeting duly convened, shall be requisite: *Provided*, also, that the Postulant shall be required to produce to the Bishop a certificate, signed by at least four respectable members of this Church, testifying to the authenticity and credibility of the written evidences of his religious, moral, and literary qualifications; which certificate shall also be laid before the Standing Committee.

§ VIII. In vacancy of a Diocese, or other Canonical devolution of the Ecclesiastical authority upon the Standing Committee, such Committee shall be competent to receive and do all assigned to the Bishop in § III., § IV., and § VI., of this Canon.

Rev. Dr. HAIGHT, of New York. I suggest that at the beginning of a section, the acting Chairman state what there is new in it.

Rev. Dr. HARE, of Pennsylvania. There is no new particular in this section. It is a reproduction of Title 1, Canon 2, Section 3.

Rev. Dr. NELSON, of Maryland. There is one word there which I do not like—the word “devolution.” I never heard of such a word. [Laughter.]

Mr. STARK, of Connecticut. It is in the old Canon.

Rev. Dr. NELSON, of Maryland. Look, and see. I contend it is new matter until the contrary is proved.

The Rev. Dr. HARE, of Pennsylvania. When I said there was no new matter in this section, I use

the word “matter” as contradistinguished from phrasing.

The Rev. Dr. NELSON, of Maryland. If my friend will strike out that word and insert some other, I shall be very much obliged to him.

The Rev. Dr. HARE, of Pennsylvania. I am representing a committee, and I dare not do anything I have not been instructed to do.

The Rev. Dr. NELSON, of Maryland. I am sure this is a mistake. There is no such word as “devolution.” I move to strike it out and insert “devolving upon.” [Laughter.]

The Rev. Dr. VINTON, of Massachusetts. I move this amendment: strike out the words “In vacancy of a diocese, or other Canonical devolution of the ecclesiastical authority upon the Standing Committee,” and insert “In any case where the Standing Committee is the ecclesiastical authority of the Diocese.”

The Rev. Dr. GOODWIN, of Pennsylvania. That is precisely what I had intended to offer—“When the Standing Committee is, canonically, the ecclesiastical authority of the Diocese.”

The Rev. Dr. NELSON, of Maryland. I accept that with pleasure.

The Rev. Dr. HAIGHT, of New York. We may laugh at this thing as much as we please, but that language was used by the Bishop of Maryland, who is not in the habit of using words without understanding their meaning and without authority. I do not know what the authority is, but I am sure that word was not inserted without considerable thought and without authority. I agree to the other phrase, but I do not wish Bishop Whittingham laughed at for a word that may seem strange to us. There are a great many words in the English language we have never heard.

The Rev. Dr. NELSON, of Maryland. I am sure I do not mean to laugh at my Bishop, and I do not wish the House to think so; but there is no such word in the English language as “devolution.”

The Rev. Dr. PADDOCK, of Long Island. If the gentleman will look at Webster's Dictionary he will find it there.

The Rev. Dr. MORSELL, of Delaware. It is a very ugly word, and if there is any other word in the English language that will express the meaning intended, let us have it.

The Rev. Dr. VINTON, of Massachusetts. No doubt the derivation of the word is all right, but it is an unusual word, and we ought to have very plain words in our Canons.

The PRESIDENT. The question is on the amendment of the gentleman from Massachusetts [the Rev. Dr. Vinton].

The amendment was agreed to.

The Secretary resumed the reading, as follows:

§ IX. The Bishop of the Diocese, for the purposes of this and other Canons relating to Candidates and Ordinations, shall be understood, in cases so requiring, to signify an Assistant Bishop, when so empowered under Canon 13, § V. of Title I., a provisional Bishop, a missionary Bishop, and any other Bishop canonically in charge of a diocese, missionary district, or congregation in foreign parts.

§ X. [1.] The provisions of this and other Canons respecting Candidates for Holy Orders, extended to persons coming from places in the United States, in which the Constitution of this Church has not been acceded to, equally with others.

[2.] Any such person shall apply for recommendation (§ III.) to the Standing Committee of the Diocese of the Bishop to whom his notice of intention has been given.

The Rev. Dr. HARE, of Pennsylvania. There is nothing new in those sections.

Mr. WHITTLE, of Georgia. Before going on to Canon 3, I move that we adopt Canon 2 as amended.

The PRESIDENT. According to the rules of order, before we vote on this second Canon, or any other Canon, finally, those motions which were to have been made, but which were ruled out of order, affecting the original matter, can be presented; they will now be in order; and I am inclined to think that the new rule adopted will be found a great deal more complicated than the one upon which we originally started regarding the whole of this report as a new report.

The Rev. Dr. HAIGHT, of New York. Then let us proceed to Canon 3.

The SECRETARY proceeded to read Canon 3 as follows:

CANON 3.

Of Admitted Candidates.

§ I. [1.] The superintendence of a Candidate for Holy Orders, and direction of his theological studies, pertain to the Bishop of the Diocese.

[2.] In a diocese, vacant or otherwise, Canonically under the ecclesiastical authority of the Standing Committee, such committee shall exercise said superintendence and direction.

The Rev. Dr. HALL, of Long Island. Before the word "such" in that second sub-section, I move to insert the words "the clerical members of."

The Rev. Dr. HARE, of Pennsylvania. There is nothing new in what is reported, but it is to be found in Canon 1, Title III., section 1 of the Diocese.

The PRESIDENT. Then if the gentleman from Long Island considers his motion of sufficient importance, it can be made after we get through the reading of the Canon.

The SECRETARY continued the reading as follows:

[3.] Care shall be taken that the candidate shall pursue his studies diligently, and under proper direction; and that he do not indulge in any vain or trifling conduct, or in any amusements most likely to be abused to licentiousness, or unfavorable to that seriousness, and to those pious and studious habits, which become a person preparing for the Holy Ministry.

§ II. [1.] A candidate once admitted must remain in connection with the diocese in which he has been admitted until his ordination, except as hereinafter provided.

[2.] Letters of dimission to the jurisdiction of any other Bishop of this Church may be given him

by the Bishop, upon actual change of residence, or for other good and sufficient reasons, established as such to the satisfaction of the Bishop.

[3.] The convenience of attending any theological or other seminary shall not be held to be such sufficient reason or ground of change of residence.

The Rev. Dr. PADDOCK, of Long Island. May I be allowed to suggest, with I believe the concurrence of the acting chairman of the committee, that the words "change of residence" in the third sub-section, would be better if altered to "dimission," as "residence" is used there in the sense of ecclesiastical residence, and at the bottom of the previous page in the sense of civil residence. I ask the chairman if I am right.

The Rev. Dr. HARE, of Pennsylvania. I second the motion to substitute "dimission" for "change of residence" on page 14.

The PRESIDENT. Is not that new matter?

The Rev. Dr. HARE, of Pennsylvania. No, sir, it is not. There is nothing new in substance.

The Rev. Dr. MITCHELL, of Georgia. All new matter has been ruled out of order.

The Rev. Dr. HARE, of Pennsylvania. I only seconded what was offered.

The SECRETARY continued the reading as follows:

§ III. A Candidate for Holy Orders shall not be allowed to accept from any Diocesan Convention an appointment as a Lay Deputy to the House of Clerical and Lay Deputies of the General Convention.

§ IV. [1.] A Candidate for Holy Orders may be licensed by the Bishop to perform the Service of the Church as a Lay Reader in his own Diocese, but in no other.

[2.] Without such license a Candidate may not take upon himself such functions.

[3.] With the consent of his own Bishop, a Candidate may receive such license as a lay reader for temporary use, from any other Bishop, for the Diocese of such Bishop only.

[4.] A Candidate so licensed shall submit to all the regulations which the Bishop licensing him may prescribe.

[5.] Such Candidate shall not, except in case of extraordinary emergency, or very peculiar expediency, perform any part of the Service when a Clergyman is present.

The Rev. Dr. WILLIAMS, of Georgia. I propose to strike out sub-section 5. I will explain my motion in a moment, and then I think all will agree with me. The next sub-section reads:

"He shall also be bound to conformity to all the other restrictions and regulations of the Canon of Lay Readers."

And on turning to the last page of this report you will find the same regulation exactly in the sixth sub-section of the last Canon. I therefore move to strike it out here.

The Rev. Dr. HAIGHT, of New York. The whole of Canon 9 is new matter, and it may not be enacted by the Convention.

The Rev. Dr. HARE, of Pennsylvania. I ask the Secretary to read sub-section 6.

The SECRETARY read as follows:

"[6.] He shall also be bound to conformity to all the other restrictions and regulations of the Canon "of Lay Readers."

The Rev. Dr. HARE, of Pennsylvania. There is new matter here in so far as in the first sub-section it is specifically provided that a Bishop can only license a person to act as a lay reader for his own diocese, and in sub-section 3 it is specifically provided, what had always been understood before, that with the consent of his own Bishop a candidate may receive such license as a lay reader, for temporary use, from any other Bishop for the diocese of such Bishop only. With regard to what was said by the gentleman on my left [the Rev. Dr. Williams] subsections 4 and 5 will both be found on page 32 of the report. I pointed this out to the chairman of the Committee. They are therefore unnecessary here.

The Rev. Dr. HAIGHT, of New York. I ask my friend whether, inasmuch as Canon 9 is a new Canon entirely, it would not be well to leave this in until we see whether that Canon passes or not. Suppose that should be thrown out altogether, and possibly it may be, then we should have to put this back.

The Rev. Dr. HARE, of Pennsylvania. That is so.

The SECRETARY continued the reading as follows:

§ V. [1.] Every Candidate for Holy Orders shall report himself to the Bishop, personally or by letter, once at least in every three months, giving account of his manner of life and progress in theological studies.

[2.] Failure to make such report, not satisfactorily accounted for to the Bishop, shall be ground of refusal of admission to Holy Orders.

The Rev. Dr. HARE, of Pennsylvania. That is new.

The Rev. Dr. RICHEY, of Minnesota. I ask if that is a wholesome provision, requiring every candidate to report himself to the Bishop every three months personally or by letter. It is new matter, and it seems to me establishing something very like a principle of confession. Is it proposed to compel a candidate to report himself to his Bishop personally or by letter, at least once every three months, and give an account of his manner of life, and his progress in theological studies? I think the effect of such a provision would be most unwholesome.

The Rev. Dr. HARE, of Pennsylvania. Both the sub-sections of this section are new. I cannot but think, however, that they are innocent. I fully believe that they will prove to be most useful. In the Divinity School with which I am connected, one of the beneficial societies supporting students, requires of those students from time to time, an account of what they do, and one of the Bishops requires a similar report, and the effect of the latter, and its excellent influence I can bear testimony to, and I rejoiced when I saw that this thing was proposed to be made matter of

Canon. I believe that the effect of the closing section of this Canon will be a most healthful result in our theological seminaries.

The Rev. Dr. HAIGHT, of New York. I desire to add one word to what my colleague has said. It was my privilege for twenty years to be a professor in the General Theological Seminary and to be brought into most intimate contact with the young men, and I am perfectly satisfied that if at that time the rule had prevailed that every candidate for Orders should report himself at least once in three months to his Bishop, no small part of the difficulty of discipline that we found would have been entirely obviated.

Now, sir, up to the present time, I believe this provision is entirely new. We have had nothing of the kind before. I will state a fact that came within my own knowledge. There was a candidate for Orders in the Diocese of New York, who was on the list I believe, five, six, or seven years. He never reported himself at all. A place became vacant, and we found that that gentleman was down in North Carolina. We were at considerable trouble before finding out anything about him.

Sir, the more close, and the more intimate you can make the connection between the candidate and his Bishop, the more you can make the Bishop feel a direct responsibility in regard to that candidate, and the more you make the candidate feel that he is under the eye of the Bishop, the better it will be for the candidate, the better it will be for the Bishop, and the better it will be for the Church.

I remember, years ago, hearing a very dear friend of mine, now gone to his rest, narrating to me the manner in which he was received as a candidate by the Bishop of South Carolina, Dr. Bowen, who was my pastor in Grace Church when I was a boy in New York. He told me how deeply he was impressed with the way in which that Bishop received him; how he was impressed with the solemn teachings which he then gave him; and how he was impressed when the Bishop before he left his room, bade him kneel down and pray with him that he might become what he now professed a desire to be, a true and faithful servant and soldier of the cross of Jesus Christ.

In the whole course of my experience, I have felt most deeply, and year by year my feeling has become intensified, that one of the greatest mistakes that is made in the reception of candidates for Orders, is the cold, bare, mechanical way in which it is done. The Bishop receives a letter from a young man two hundred miles off. He knows nothing whatever about the young man. He has never seen him, never had any intercourse with him. His letter comes accompanied by a letter from a clergyman, the usual testimonials. The Bishop knows nothing against the young man. He takes him on the testimony of the presbyter. He sends him back notice that he has received his testimonials. The case comes before the Standing Committee; the Standing Committee act upon it; and the young man becomes a candidate for Holy Orders in this mechanical way. He never sees the Bishop. I know in some dioceses, a Bishop may not see his candidate for a year or a year and a half after he is admitted. There is

nothing to sanctify the relation. The young man becomes a candidate for Holy Orders just as a young man becomes a medical student or a law student. There is nothing sacred about it. I do not say that, so far as the young man himself is concerned, there is no serious thought; but there is nothing brought to bear upon his heart and conscience from his Bishop to make him feel that he has now got in a high and holy relation to the Church through the Bishop.

I believe very serious, injurious results have followed from this cold, bare, mechanical way of receiving candidates for Orders. I hold that everything you can do to make a deep and abiding impression on the mind of the young man who becomes a candidate for Holy Orders, it is our duty to do; and you will find, if it has not already been brought to the notice of the House, as you progress with the examination of the Canons, that we have gone on that principle, of trying, as far as possible, to bring the Bishop and the young man in direct personal contact. I hope this section will be passed, demanding that that intercourse shall be kept up from time to time, and that Bishops shall have an opportunity of knowing, either by letter or personal intercourse, just exactly where the young man stands.

Why, sir, a Bishop, if he is a man of ordinary intelligence, a man of ordinary observation, if he has had any experience with men at all, will sometimes tell in one interview more than he can tell of a young man from hearsay evidence for ten years. I believe many a young man has been received as a candidate for Orders, who, if his Bishop had set his eyes on him and conversed with him five minutes, would have been told, "My dear friend, you have mistaken your vocation, and had better devote yourself to something else."

I do hope, now that we have this matter up, we shall do what we can to make this relation of candidate for Orders a high, solemn, and sacred one, so that every man shall feel that when he becomes a candidate for Orders, he has not become merely a candidate for a learned profession, but a candidate for the highest, holiest, and most responsible office which mortal man can bear. I should like to have every young man enter somewhat into the feeling of Chrysostom, when he said, in regard to the Bishops of the Church, "It is a wonder that any Bishop is saved."

The Rev. Dr. RICHEY, of Minnesota. I ask the gentleman if the influence he speaks about, by contact with the Bishop, would be the same if it were repeated every three months for the period of three years. My objection to this provision is not to the young man being brought into contact with his Bishop, but to the frequency with which it is to be done. I believe the very frequency of the requirement will take away its salutary influence. If it were every six months or twelve months, it seems to me the proper influence would be brought about; but when you require such a course of examination every three months, the very frequency of the act will defeat the end.

The Rev. Dr. HAIGHT, of New York. I wish to ask my friend whether the frequency of my intercourse with my child is not for his benefit as well as for mine. I cannot know too much of my

child, and a Bishop cannot know too much of his candidates for Orders.

The Rev. Dr. MORSELL, of Delaware. I have very serious objections to this provision of this Canon. I know full well the discussion in regard to the action of the Society to which the Rev. Dr. Hare alluded, and upon that action I ask the opportunity to express my feelings. I plead the cause of young men. There is something due to them as well as to the Bishops of the Church. There is something due to their dignity, to their manliness, to their truthfulness. Sir, I am ready to trust young men.

The Rev. Dr. HALL, of Long Island. I rise to a point of order. I ask what is the motion before the House. The gentlemen who spoke first made no motion.

The PRESIDENT. I suppose the new matter announced here is regarded as an amendment to the former Canon, and that is under discussion.

The Rev. Dr. HAIGHT, of New York. Certainly.

The Rev. Dr. MORSELL, of Delaware. I have only risen to speak against this, as others have in favor of it. I desire to be heard, and with your permission, sir, I intend to be heard. I was saying that I am perfectly aware of the opinion upon which a report was made, to which I objected in another meeting, and in which I spoke in behalf of the young men of the Church who are to be candidates for Orders. It is not necessary for me to meet that argument here, or to make an allusion to it. But this Canon proceeds upon the very supposition that the young men of this Church who are candidates for Orders, and who have come properly recommended, cannot be trusted. Anything that implies suspicion, that implies distrust anything that will put a young man continually upon the stand to be criticised and investigated, either by others or by himself, is unfavorable to that independence of character which every man ought to exercise. Sir, I do not believe that this method will be likely to accomplish the result proposed. It is said here that every candidate shall report himself. I ask you what report you expect of him. Will it be favorable or unfavorable? As a matter of course it will be favorable. Whenever he is called upon to make a report of himself to his Bishop, personally, or by letter, he will speak of himself in the most favorable terms, and exactly in proportion to his untruthfulness will be the more favorable reception he will get. There will be a constant temptation offered by this Canon and by these interviews to this kind of untruthfulness, and I would vote against it, if it were for no other reason.

Besides, a gentleman has said that it partakes of the nature of confession. It does partake of the nature of a confession. What is he to give an account of? Of his manner of life. Does that include his experience? Are you to make our Bishops class-leaders, and our candidates for Orders members of a class-meeting, who are to give an account of their experience and their manner of life, how often they say their prayers, and how many chapters they read in their Bible and how much they do of this and of that? Sir, it is calculated to produce a stereotyped form of expression which

will have no sincerity, which will have no meaning; which will have no honesty, and it will degrade the character of the young men of our Church.

Then, again, the great majority of our young men are educated under the very eye of the theological professors; their manner of life is continually before them; they see them from day to day; they watch their lives; and they are bound not only to instruct them, but also to warn the ecclesiastical authorities of any irregularity or anything improper on their part. The professors of our theological seminaries, with their eyes continually upon them, ought to be better judges, infinitely, than the young men themselves, and are better judges. The single fact that this has never been found to be absolutely necessary before, proves that it is not necessary now. It is new matter with a vengeance. Bishop Berkeley said, says Lord Byron, "that there was no matter." "Then," says Lord Byron, "it is no matter what Bishop Berkeley said." [Laughter.] And, sir, it strikes me that this new matter is just precisely of that character; it does not matter what the Committee say in regard to it; its great objection is that it is new matter.

The Rev. Dr. NELSON, of Maryland. Allow me to ask one single question of my friend?

The Rev. Dr. MORSELL, of Delaware. Certainly.

The Rev. Dr. NELSON, of Maryland. I ask him whether he wants this good canon passed; and if so, does he not think we had better not talk any more, and just submit the thing to a vote? We all understand it. We know all about it. (Laughter.)

The Rev. Dr. MORSELL, of Delaware. I know that I speak to gentlemen of intelligence. I know that my reverend brother is a man of intelligence, has been a president of a college, and is vice president still, and an able and successful instructor of youth. I know again that I speak to gentlemen who have all the courtesies and instincts of gentlemen, and have sympathies with the young men of our land and of our Church. I know that I speak for what is good in this canon, and am ready to vote for it; but what is evil I would strike out, and I would say to the gentleman if he asks me to be silent, if you call on the young men of our Church to write every three months a letter to the Bishop, the Lord have mercy on him. Once in every three months forty letters are to go from young men at the Seminary at Alexandria, forty from the Seminary at Philadelphia, seventy or eighty from the young men in New York. Why, sir, do you intend to burden our Bishops; do you intend to oppress them, or do you intend to elevate them into Lord Bishops with private secretaries at salaries of a thousand or twelve hundred dollars; or shall we have a new order of Bishops expressly to superintend this matter? To my mind we do not need this new matter. Let us go on in the old ways. The old wine is better.

The PRESIDENT. Is there a motion made to strike out? ["No."]

The Rev. Dr. HALL, of Long Island. I move that, in the second sub-section, the language be "the clerical members of such committee." You notice they are "to have the direction of theological studies," etc., properly pertaining to the clerical office. I do not think the lay members of the Standing Committees generally would choose to have that duty put upon them in any form.

The Rev. Dr. HAIGHT, of New York. That is old matter.

The PRESIDENT. The next canon will be read.

The SECRETARY read as follows:

CANON 4.

Of Examinations.

§I. [1.] In each Diocese there shall be a Board of Examiners for Holy Orders, consisting of three or more learned Presbyters.

[2.] Where no provision shall be made by the Diocese for any compensation of service rendered by such Examiners, the appointment of the members of the Board shall be made by the Bishop.

[3.] Where such provision is made, the appointment shall be by election of the Standing Committee, on nomination by the Bishop.

[4.] Such appointment shall be revocable, only for cause of neglect of duty, or other malfeasance, by the Bishop, acting with advice and consent of the Standing Committee.

[5.] Removal from the Diocese shall vacate such appointment.

[6.] A vacancy in the Board, by resignation, death, or removal, shall be filled with all reasonable despatch, as above prescribed; or, in a Diocese canonically under Ecclesiastical authority of the Standing Committee, by vote of a majority of the Committee, at a duly convened meeting.

The Rev. Mr. CROSDALE, of Easton. Is there not new matter here?

The Rev. Dr. HARE, of Pennsylvania. The whole of that section is new matter.

The Rev. Dr. HALL, of Long Island. In the diocese of Long Island we have two examining chaplains appointed by the Bishop under authority of the canons of our diocese. That is not a very important matter outside of the diocese; but it is one reason why I rise to make the motion I propose to do. Another is that I would prefer concentrating this responsibility upon two and I do not like the title "Board of Examiners." The amendment I propose is "that in each diocese there shall be two or more examining chaplains," and that wherever the words "Board of Examiners" occur, they shall be changed to "Examining Chaplains," and where the word "examiners" occurs, throughout the section, it shall be "chaplains" or "examining chaplains."

The Rev. Dr. VINTON, of Massachusetts. I inquire of the Chairman whether it was intended that this Board should be perpetual. There is nothing said of any manner in which the appointment of any person shall cease but it looks as if he held it for life.

The Rev. Dr. ADAMS, of Wisconsin. I think we ought to have some definition of the word "learned," as it is here used before "presbyters." There are two kinds of learning—academical education consisting of having gone through college and having a degree in arts, and theological education. As this is manifestly a technical word I should like to have it defined in the Canon that we may know what it means precisely. I will not move any amendment, but merely suggest that the thing is worthy of definition canonically.

The Rev. Dr. VINTON, of Massachusetts. The object I wish to reach is that the appointment of this Board shall be periodical. I do not see why it should not be annual; but the idea of appointing a Board of Examiners who shall last as long as they live, with

no power recognized here to turn them out except for malfeasance of some sort, does not seem to me exactly right legislation. Under sub-section 3, the appointment shall be by election of the Standing Committee on nomination by the Bishop. I would add "and such election shall be made once in every year." If that is considered too short, I have no objection to the time being lengthened, but it seems to me that there ought to be a term assigned.

Several DEPUTIES. Say three years.

The Rev. Dr. HAIGHT, of New York. It certainly ought not to be less than seven years, for this reason, that you desire to have these men, as far as possible, experts, you wish to have them well qualified in all respects for examiners. Now I take it that an ordinary presbyter in a diocese is not very competent to be an examiner of a theological student, if you are going at all into theology proper. We are all engaged in our duties and in our ordinary studies; and the line of study which an examiner is bound to pursue in order to fit himself is very different from that of an ordinary parish priest. I suppose it would take almost any man among us at least a year's study to fit himself to become properly an examining Chaplain. After having gone through the examination once, of course a man is better fitted to go on with his studies for another year. I suppose that by the end of five years he is vastly better fitted to perform that office than at the end of one year; and for one I desire, if there is any limitation, that it should not be less than seven years, and then every member of the Board would have every possible inducement to be diligent in those studies which peculiarly belong to an examiner. I think my friend will see at once the force of this.

The Rev. Dr. VINTON, of Massachusetts. No, sir, I do not see the fitness of providing for so long a term; neither do I agree to the postulate of my brother that it requires any very special preparation on the part of a well educated clergyman to examine a candidate for orders. In fact, it seems to me that a minister young and fresh from the Seminary would be among the best of examiners; but at all events every clergyman who has been regularly educated in all the departments of theological learning which are required for admission to the ministry, is competent, in the very nature of things, to conduct an examination of ordinary candidates.

I do not deny that he may acquire some skill and some learning by practice and time. Therefore he might be better fitted, at the end of the first year, than he was when he began, and so at the end of the second year; but I cannot admit that seven years is an apprenticeship which must necessarily be passed through by each examiner, before he is really competent to do his work. Again, suppose the Bishop should appoint an examiner, who, after all, should prove himself incompetent.

Mr. HUNTINGTON, of Connecticut. He can be removed.

The Rev. Dr. VINTON, of Massachusetts. It does not say so.

The Rev. Dr. GOODWIN, of Pennsylvania. Will the gentleman from Massachusetts accept "three years," instead of "one year," as proposed by his amendment?

The Rev. Dr. VINTON, of Massachusetts. I think three years might do very well, because every man is better for a little practice.

The Rev. Dr. GOODWIN, of Pennsylvania. Then they could be re-appointed, as often as was deemed proper.

The Rev. Dr. VINTON, of Massachusetts. Certainly. If during the three years any man should betray an incapacity for the peculiar work of examining, he need not be appointed again; and we all know that it is not every man who has knowledge, who can put questions that can draw out the knowledge of another; it does require a certain measure of tact, and some knowledge of human nature, and therefore there is such a thing as a choice among ministers for the office, no doubt. But if you make the term seven years, and you get in a man who is incompetent, the Church has to suffer during all that time. Three years, I should think, would be long enough. If a man shall prove himself to be well qualified during that time, he can then receive re-appointment by the Bishop; and it may happen, and ought to happen, that such a board would continue during life; but then do not let us tie our hands, or tie the Bishop's hands rather, and thereby damage the whole interests of theological education.

The Rev. Dr. HAIGHT, of New York. The re-appointment, of course, removes half the difficulty. I only wish to say in regard to the qualification of examiners, that I confess I should not like myself to have to examine a young man fresh from the Theological Seminary, on certain portions of the Greek Testament, the Apocalypse for example, nor should I care to examine him on the book of the prophet Daniel, in the original Hebrew. I think I should probably fail considerably if I were to try, and I rather think that is the case with most of us here. If, however, I am appointed an examiner for a term of time, I will go to work and fit myself, or else resign the office. I suppose the Bishop is presumed to know who is competent, and who is not competent.

The Rev. Dr. VINTON, of Massachusetts. If the time was short my reverend brother might have an object of ambition, to prepare himself, so that he might be elected at the next term.

The Rev. Dr. SHAND, of South Carolina. Is it intended that this section of the Canon shall be compulsory, that in every diocese a Board of Examiners shall be appointed?

The Rev. Dr. HARE, of Pennsylvania. Yes, sir.

The Rev. Dr. SHAND, of South Carolina. I do not know how it would work in the diocese from which I come. The Bishop there has usually appointed two or three presbyters to examine candidate for Orders in his visitations in different parts of the diocese. I do not know that we could compensate a Board of Examiners; and I should like to know whether it is intended that this Board of Examiners should always accompany the Bishop in his visitations, or whether they are to be two working presbyters in the Church, rectors of parishes, who are to be constituted a Board of Examiners, whether this Board of Examiners are to be assigned specially to that work and to no other.

There are some difficulties in the way, judging from matters in my own diocese, and I do not think in the present condition of that diocese that we could afford compensation to a Board of Examiners, nor do I think we could get the Board of Examiners to accompany the Bishop on his visitations. I am not opposed to the section. I think

it a very good one; but I am afraid it will not work very well in all dioceses. I doubt very much whether we can carry it into anything like practical operation.

The Rev. Mr. BUEL, of Albany. I wish to offer an amendment which will affect the whole section. The committee, in the section of the last Canon that we have passed, manifested, it seemed to me, a very proper desire to throw the responsibility of the care and education of candidates, for their holy office, entirely upon the Bishop. That has always been the design and policy of the Church, and it seems to me that it belongs to the Bishop alone to appoint the examining chaplains. I am sure that the examining chaplains in our Mother Church are always appointed by the Bishop, and it seems to me that this is the logic of the case. Our Church has always held the Bishop alone responsible for the care of the candidate's education, and for his advancement to Holy Orders. I move this amendment that, in lieu of the section as it now stands, we adopt the following:

"In each diocese there shall be a board of examining chaplains, consisting of two or more learned presbyters to be appointed by the Bishop, and retaining their office at his discretion."

The PRESIDENT. That is not in order now. The amendment of the gentleman from Massachusetts is the last offered that was in order, and the vote must first be taken on that. It is to add to the close of sub-section 1, the words "whose term of office shall be for three years."

The amendment was rejected.

The PRESIDENT. The question now is on the amendment proposed by the deputy from Long Island (the Rev. Dr. Hall).

The Rev. Dr. HALL, of Long Island. I beg leave to call the attention of the House to the fact that I did not make a speech. I believe if we just let these matters stand, we shall get through more rapidly. I present the amendment simply on its merits. It is that instead of "a Board of Examiners" we use the words "two or more Examining Chaplains," and change the Canon accordingly, taking the old English term instead of the Scotch term "Board of Triers."

The Rev. Dr. HARE, of Pennsylvania. The reverend gentleman who has just sat down kindly asked me a few minutes since to second a proposition. I most unwillingly declined. It would be painful in any circumstances to decline a proposal made by that gentleman; but my feeling is, brethren, that it is here on this page and the page following that we shall do something, if we do anything at all, toward the improvement of theological education among us. No doubt the difficulties in carrying out this Canon will be great; there are some difficulties which have not been mentioned; but we must face these difficulties or we must have theological education to continue among us much as it has been in time past; for as things now are, students contemn examinations. They know from those who have been examined already to how little examinations amount. It is not at all infrequent for a presbyter to be appointed to conduct examinations under the Canon who has himself been admitted under the dispensing Canon, who is utterly unable to perform the duty assigned

him, and when this is not the case, when he is a man of some learning, though but inferior learning, it cannot but happen that he will conduct the examination but slightly for the reason that he fears to come into close quarters with the person to be examined. Nay, even if you have a learned presbyter conducting the examinations unless he is trained by use to this kind of work, he will not pursue his scrutiny in such a way as shall be effectual.

Now, my brethren, consider the large number of Bishops we have in the Territories, where the cry for the ministry meets them at almost every turn. It cannot but be that Bishops so situated will be under very strong temptations to admit to the ministry men but inadequately prepared, for Bishops are men like ourselves. The Church has, we know, already provided checks on the Bishops in the exercise of their authority in the action of Standing Committees. He who carefully examines our Canons cannot but see that it was the intention of this body to give to the Standing Committee some check upon the Bishops with reference to the temptation which I have mentioned, but let me say it with all deference to that venerable body, experience has shown that the temptations are so great that checks still other need to be instituted—such a check upon the Bishop as will be afforded by this Board of Examiners. And let me say that this Board, if appointed, will act not only as a check where there is a temptation, but as a support when Bishops need support. When a member of this committee urged upon the committee in the presence of two Bishops who are its members, certain of the more stringent measures proposed, the answer, first of one and then of the other, was, "Yes, we want such a support; we want something like this to fall back upon."

A gentleman has asked whether the Canon is obligatory. He who looks to its words will find that there is but one answer. The language is not "may" or "can"; the language is plain English, "shall." "In every diocese there shall be a Board of Examiners for Holy Orders."

A gentleman asks what is meant by "learned presbyters." I answer, it means a presbyter like himself, academically and theologically educated, and not a presbyter who cannot translate his own diploma. It is notorious that we have among us not a few of such presbyters.

With regard to the permanency of the thing, of course this will not be an enviable office; the dioceses will be few in which any compensation can be obtained for the members of this Board; and therefore it will be, unhappily, too fluctuating, the membership of it will change but too often, for if it be true, as I said awhile ago, that a man to be a good Examiner must be trained, must be used to his work, it will be a real misfortune when a person who has borne this onerous duty for sometime retires from his place. If he is guilty of malfeasance, the case is provided for. If he removes from the diocese, the case is provided for. Otherwise he may retain the office for life, and very much for the interest of the Church it is that if he is not guilty of any impropriety of conduct he should retain the office for life.

The Rev. Dr. ADAMS, of Wisconsin. Will the

gentleman allow me to tell him a circumstance which will confirm greatly his views and the views of the Committee? When Bishop White, as I understood from Bishop Kemper, came into his Diocese, he found that his greatest want was the want of thorough theological education, and therefore he spoke to four presbyters, Jackson Kemper, William H. Delancey, James Montgomery, and another, whose name I do not remember, and those men went in with Bishop White themselves and they divided theological education into departments and they prepared themselves thoroughly upon it, and they were the *bona fide* actual Examining Board of Bishop White as long as Bishop Kemper was in that Diocese, which was for many years. Therefore I think the principle of this proposed Canon was held up and maintained and practised upon by one of the best of our Bishops to the great advantage of the diocese to which he belonged.

The Rev. Dr. HARE, of Pennsylvania. I thank the gentleman most earnestly. He has told the exact truth, and we simply propose to make that the regular thing, everywhere, by canonical enactment, which was in one diocese the excellent practice. I have done.

The Rev. Dr. HAIGHT, of New York. Before the vote is taken, I wish to say one word as a member of the Committee. As my colleague has said, this, after all, is the great and important matter which we have to present, and one the importance of which the members of the Committee felt very deeply. I shall not soon forget the first session of this Committee, which took place, very much to my satisfaction, at my own house. We were the whole evening engaged in preliminary conversation touching our work. We had already received a large number of communications from different quarters of the country relating to the matter in hand.

After we had spent two or three hours in conversation, before we adjourned I ventured to ask individually of the members of the Committee present their opinion upon this point, whether or not they thought that theological education was on the decline and had been on the decline for the last ten or fifteen years in this Church. Without an exception, they all said "yes," and I am perfectly satisfied from my own observation and experience that that is true. Theological learning is on the decline in this Church, and I ask members of this body whether they are prepared, that being true, to allow the present state of things to go on? Not long after, I had the honor of an interview with one of the most distinguished of the Professors of the Theological Seminary at Princeton. We were talking about the matter of theological education. I asked him, without telling him why I asked him, what was the state of things among them? He said the tone of their theological students and of their young men was rising. Now, sir, when we look around and see what this Church has to do to-day, what she will have to do within the next ten or fifteen years, when we look at the conflict which is inevitable between faith and no faith, between the truth of God and the lie of infidelity, when we see and know what this Church must do by her commissioned ministers if she would maintain her proud reputation which she heretofore has enjoyed, and do the work which her Master has given her, we can very easily see what our duty is to-day in the premises.

We are told of the need of clergymen and we are urged to supply that want. Now, sir, what is it

we want? Do you want men merely, do you want pious men merely, do you want enthusiastic men merely? No, sir. Over and above godliness and self-sacrifice you need sound theological learning, you need a thorough acquaintance with the Holy Scriptures. My friend asked somewhat sneeringly whether the candidates were to report every three months to their bishops how many chapters of the Bible they read. I tell you it might not be an unimportant thing to find that out, for I believe there are students in our Theological Seminary to-day who have never read the Bible through, who do not read the Bible thoroughly, systematically, even devotionally, who know next to nothing about the Bible. They can talk glibly about certain theological matters. They pick that up in the newspapers; they pick that up in the reviews; they pick that up in the religious journals; but when it comes to a thorough and accurate knowledge of the Sacred Scriptures, I venture to say that many of our theological students to-day would be profoundly ignorant, and my friend from Pennsylvania can give you example after example of the most extraordinary ignorance of the Holy Scriptures on the part of candidates for Holy Orders.

Now I maintain that, in the present state of the Church, in the present state of the world around, in view of all that is before us, we must insist upon, if possible, raising the tone of theological education in this Church. We must put a stop as soon as possible, and as far as possible, to the admission of men into the priesthood who are not men of sound theological learning, well versed in Holy Scripture, well versed in the Book of Common Prayer, well versed in all the fundamental points of theology; and the committee desire to make their stand upon this point. Should it be, unfortunately as I think, the pleasure of the Convention to override them here, I care not one jot about the rest of the Canon. That is my own individual, clear conviction. It is shared by every member of the committee, by both the Bishops, both the priests and both the honored laymen who were on the committee.

The Rev. Dr. McNAMARA, of Nebraska. I should like to make an inquiry as to the fifth subsection of the fourth section of Canon 3: "Such candidate shall not, except in case of extraordinary emergency, or very peculiar expediency, perform any part of the service when a clergyman is present." I ask whether it is not customary in theological seminaries to have the students read the Lessons?

The PRESIDENT. We have passed over that point.

The Rev. Dr. HALL, of Long Island. I ask if the question is on my amendment?

The PRESIDENT. Yes, sir.

The Rev. Dr. HALL, of Long Island. I beg leave respectfully to remind the House that every word which has been said by the two reverend presbyters, to which I subscribe most thoroughly and entirely, does not touch the amendment. It is unfortunately brought in as if it were against my amendment. My amendment does not touch the point of learning at all. We cannot put in "two or more learned examining chaplains." I propose simply to change the language,—nothing else. It does not change or deteriorate from the learning,

and I understand that the reverend deputy from New York has seconded my motion.

The PRESIDENT. The amendment of the gentleman from Long Island is to strike out the words "Board of Examiners" and insert "two or more examining chaplains," and that the same change be made throughout the Canon.

The Rev. Mr. GILLESPIE, of Michigan. I propose to strike out the words "three or more." Is that in place now?

The PRESIDENT. That is not now in order. The question is on the amendment of the gentleman from Long Island.

The amendment was rejected, there being, on a division, ayes, 72, noes, 72

The Rev. Mr. CROSDALE, of Easton. I move to amend the first sub-section of this first section by adding the words, "to be appointed by the Bishop, or, in case of a vacancy, by the Standing Committee." And if it be the pleasure of the House to adopt this amendment, I shall then propose to strike out sub-sections 2 and 3.

The Rev. Mr. SHIPMAN, of Kentucky. I move to amend the amendment, by striking out all after the words "the appointment of the members of the Board shall be made by the Bishop," in sub-section 2, and to add, "shall be revocable at his discretion." I confess that I cannot understand the reason of the provision here made with regard to the election of these examiners. In case the diocese provides compensation for the services rendered, then the election is to be with the Standing Committee, on the nomination of the Bishop. But in case no such compensation is furnished, then the appointment is to be made by the Bishop alone. I submit that if there is any good reason why the election should be in the hands of the Standing Committee, then no pecuniary consideration should take it out of their hands; and if there is any good reason why the Bishop should elect, then no pecuniary consideration should take it out of his hands.

In regard to the insertion of the words "shall be revocable at his discretion," I prefer this very much to the provision contained in sub-section 4. It is very conceivable, and any one who has lived at the West can the more readily conceive, that at one time there may be but two or three presbyters in a diocese available for this purpose, and they may not be very well qualified for it; may not be what we call learned presbyters, and it is quite conceivable that within a very short period afterward, within six months or a year, presbyters well qualified might be received into the diocese, and if so, it would be a very evident reason, and a very good reason, for the Bishop revoking the appointments formerly made and making others. If amended as I propose, sub-section 2 would read, "The appointment of members of the board shall be made by the Bishop, and shall be revocable at his discretion," and all else in the sub-section would be stricken out.

The Rev. Mr. BUEL, of Albany. I should have pressed my amendment if I had not supposed it

was already before the House. I merely rise now to ask through you, sir, the member from Kentucky, if he will not accept in lieu of his amendment just proposed, this which I read a short time ago, "In each diocese there shall be two or more examining chaplains, to be appointed by the Bishop, and hold their office at his discretion."

The Rev. Mr. SHIPMAN, of Kentucky. I was very anxious to vote for that amendment at the time it was offered; but I understood that the reverend deputy from Albany had for some reason or other withdrawn it, and my intention was to renew it in substance. I accept it in place of my own very gladly.

The Rev. Mr. BUEL, of Albany. I wish to say one word. I sympathize most heartily with all that fell from the lips of the Chairman of the Committee (the Rev. Dr. Hare), and the member from New York (the Rev. Dr. Haight), about the importance of raising the standard of attainment for the holy ministry; but not a word that was uttered by these two honorable members has the least bearing against this amendment except on the supposition that our Bishops are the only ones who have not a proper sense of the requirements necessary for the holy ministry. Sir, why should we depart from what has been the uniform policy of the Church to trust our Bishops and commit the care and responsibility of the thorough preparation of candidates entirely to them? Many of our Bishops already have shown their appreciation of the necessity of zealously guarding the entrance to the holy ministry. Many of them have already appointed examining chaplains, permanent officers of their dioceses, in order that they may have the advantage which the Rev. Chairman desired for this Board of Examiners, the advantage of a course of preparation through a period of years for so high and responsible an office. But, sir, I see no reason for departing from the settled policy of the Church, and no reason for taking from our Bishops what it seems to me rightly belongs to their holy office. We should leave to them the care of the candidates for the holy ministry and hold them alone responsible before God and the Church for their thorough preparation. I offer my amendment.

The Rev. Dr. HAIGHT, of New York. I beg that I may not be misunderstood by my brother or any member of this House, as saying one single word in derogation of the character of our Bishops. My remarks were not pertinent, I admit, to the amendment; they were not intended to be so; but I had no opportunity of saying a single word touching the general principle of this Canon until that moment and I thought I sufficiently guarded myself when I rose, by saying that my remarks were intended to be general; they had no reference whatever to any amendment, but simply to the whole Canon.

The Rev. Mr. SCHEETZ, of Missouri. The gentleman from Albany has spoken about deference to our Bishops. I trust I have never failed to strive at any rate to pay that deference to the Bishops of

the Church which is their due; but when Bishops of this Church stand up in public and declare that any minister who assumes to be a priest in the Church of God is guilty of an impious act, then—
[Order. Order.]

The Rev. Dr. HAIGHT, of New York. I rise to a point of order. My point of order is that any reflection upon the Bishops is contrary to order in this House.

The Rev. Dr. SCHEETZ, of Missouri. I was only quoting words put forth—

The Rev. Dr. HAIGHT, of New York. I do not care what you were quoting.

The PRESIDENT. The question is on the amendment of the Deputy from Albany.

The Rev. Dr. HOWE, of Pennsylvania. That is intended, as I understand, to supersede sub-sections 2 and 3.

The Rev. Mr. BUEL, of Albany. It is intended to supersede the whole of the first section.

The Rev. Dr. HOWE, of Pennsylvania. That involves, then, superseding sub-sections numbered 2 and 3.

Several DEPUTIES. And 4, 5, and 6.

The Rev. Dr. HOWE, of Pennsylvania. I did not say that it did not involve also the striking out of 4, 5, and 6 besides. I say it supersedes sub-sections 2 and 3, which are here, and I want to know from the chairman of the committee why they are constructed as they are. I suppose there is a good reason for it. They say that if there is no provision made for the compensation—pecuniary compensation, I suppose—of this Board of Examiners, they shall be elected in a certain way; if there is provision made for their compensation, then they shall be elected in another way. Now, to myself, who have not been in the councils of the committee, it would seem that if there be no pecuniary compensation, compensation should be found in some other way, and that should be in the greater honor they should receive who had no pecuniary compensation. I should say it was a greater honor to be nominated by the Bishop and appointed by the Standing Committee than it was to be appointed merely by the Bishop without the concurrence of the Standing Committee, but I find the thing is precisely reversed. I ask the chairman to be kind enough to tell us why this is put in this particular shape before I vote to supersede all this by an amendment that shall cast out all except the first sub-section.

The Rev. Dr. HARE, of Pennsylvania. This point was not raised at any meeting of the Committee. In the consultations which preceded the drawing of the draft by the chairman of the committee, I think this point never was raised. After the draft was read to the committee, so far as I remember, the point was never raised. I took it for granted personally, that the thing was based upon an idea somewhat like that we hear often expressed in the words: "Where there is taxation there ought to be representation." If the laity who are represented in the Standing Committee give for the

purpose of compensating the Board of Examiners, there ought to be a recognition of the fact in extending to the lay element in the Standing Committee some right in the matter.

The Rev. Dr. GOODWIN, of Pennsylvania. The point of order which I would make is that this includes an amendment previously proposed which was negatived.

The PRESIDENT. But with a very different purpose.

The Rev. Dr. GOODWIN, of Pennsylvania. With something added to it. But is it in order to include with an amendment which has been negatived another amendment so as to carry it?

The PRESIDENT. That makes it a different proposition altogether.

The Rev. Dr. GOODWIN, of Pennsylvania. Then before sitting down I suggest that I should be glad to propose, instead of voting for this amendment, to amend sub-section 4 by saying, "Such appointment shall be for three years, and shall be revocable only for cause." I am perfectly satisfied from what was said in regard to new dioceses, that the committee might be appointed when there were but few clergymen in the diocese, the best that could be found, who would then be for life, although men much better fitted for the duty might come into the diocese afterward. That is the only point in what is proposed that I should be willing to vote for, and that would come in most conveniently under sub-section 4.

The Rev. Dr. ABERCROMBIE, of New Jersey. As a member of the Board of Examiners in the diocese which I have the honor to represent, I feel a deep interest in this subject, and I feel that there is a great deal of difficulty presented to the minds of the Convention in this Canon. Doubtless, no one here will deny that there is a need in a Board of Examiners of men of experience, and men of learning, but there has not been provision made in this Canon sufficient for exigencies that may arise, and we should tie up our Bishops, and we should tie up the cause of theological education. Suppose that one of these members of the Board should be paralyzed. We must test the propriety and necessity of a Canon by an extreme case. I therefore put the extreme case, which is a possibility in the course of human events and accidents. Suppose two of these presbyters should be paralyzed, or even suppose that such an accident do not happen, still they will become old men in time. But in this Canon there is no provision made by which we can be released from these members of the Board, and they may be eighty, ninety, one hundred years old, and incompetent to perform the duty. There is not sufficient provision made for the exigencies. I put this case in regard to the possibility of this happening, in order that we may not restrict too much or cripple the advancement of theological education.

The Rev. Mr. HANSON, of Alabama. I think we have heard this question debated until we understand it perfectly well, and have made up our

minds. I think we had better proceed to vote at once on the different amendments which have been proposed, without further discussion. I think it would be a very fair presumption on the part of those gentlemen who undertake to enlighten us, to presume that this body does know something, and that it is not necessary for us to have so much talk before we vote on the different propositions.

The Rev. Dr. LEEDS, of Maryland. I very much regret, and I think the Convention after mature reflection would greatly regret, to leave these two sub-divisions, the 2d and 3d, upon the page of our Canons, because if they mean anything they mean that if you can have paid examiners they shall be provided for in a certain way, but if there be no payment for their services, as if they were mercenaries, the Bishop shall have it in his power to appoint them. I have yet to learn that any Board of Examiners ever appointed in our country was paid for its services. If the members come from a distance, their travelling expenses should be paid; but not for their services rendered do they receive any *quid pro quo*. And I should regret if it were out of the power of our Bishops to appoint men whom they can select with as much care and skill as any others who are competent to this duty.

I must bear witness to the great wisdom of the learned Bishop of this diocese in constituting two committees, one to examine for the diaconate, and another for the priesthood, which committees are made up with great care by himself, and filled by him with strict regard to the different complexions of theological and ecclesiastical opinion, as also with reference to their known ability for the duty required. He holds that they ought not to be members of the Standing Committee, that the Standing Committee having it in their power to bar the way of a candidate to advancement ought not also to be on the Board of Examiners, or to have perhaps, anything to do with the appointment of them. It strikes me that so long as the thing is well in the hand of the chief pastor, it had better be left there. Therefore, I vote with all my heart, at least according to my own best judgment now, for the amendment offered by the member from Albany. It seems to me it meets the whole case, and if we leave the Canon as it is, it is open certainly to very unhappy criticism, and to very strange implication upon the action of this body.

The Rev. Dr. HAIGHT, of New York. Allow me to say a word in reference to the Bishop of Maryland, because his name has been used by my Rev. brother. The two sub-sections to which my brother has now referred were written by the Bishop himself, and he told me that on no account could he bring himself to appoint a Board of Examiners such as is here contemplated, unless he had it in his power to remunerate them for their services. He said the duty required of them would be such under this Canon that he could not find it in his conscience to ask any gentlemen to take the time and the labor of preparing themselves for this duty without their being compensated, and if there was no compensation he doubted whether he would ever appoint a board.

The Rev. Mr. RICHARDSON, of Texas. It is

with diffidence that I address the House on this subject, but I feel the necessity of the case, as it comes home to my own diocese, and I presume that there are other dioceses which would labor under the same disadvantages. This requirement that there should be a Board of two or more examining chaplains is one that will work very great hardship in my own diocese. In the first place, it will be very difficult to get even two examining chaplains, much less more, who are each within sufficiently easy reach of the other so that they can be called together without much loss of time, and without great expense, perhaps. Then, too, when the Board of Examiners are local, as in a sense they must be, appointed for one year or for three years, it will be a matter of great difficulty, in many instances in my diocese, for the candidates to come before those examining Chaplains for examination, the candidates living hundreds of miles away, without facilities of travelling except a stage coach, and in many instances the persons are without the means to bear the expense of travelling to meet the examining chaplains.

There is a further difficulty, also, that in many instances the appointed time for the examination would have elapsed about the time the Bishop would be visiting the section where the candidate resided, and when the examination should take place; but his examining chaplains are hundreds of miles away. In that event, how can the candidate be brought up for examination at the proper time, and thus go on canonically and properly for admission to holy Orders.

These are difficulties that, it seems to me, must bear on other dioceses than my own; and, therefore, I hope that the Canon will not pass, unless some provision can be made by which, in such extraordinary emergencies, the Bishop can appoint the chaplains, for the time being, where the candidate shall reside, because, in many instances, he could get presbyters in good standing, or learned presbyters near enough to the candidate to examine him at the proper time when the candidate could not go before examining chaplains at a distant point, as required in the proposed Canon. Unless some provision can be made to meet such extreme cases as that and other cases that will happen constantly in my diocese, I should hope that this Canon, as it is, may not pass.

The PRESIDENT. The question is on the amendment of the gentleman from Albany [the Rev. Mr. Buel].

The amendment was agreed to.

The Rev. Mr. HANSON, of Alabama. I move that the House do now adjourn.

The motion was agreed to, and the House adjourned.

SIXTEENTH DAY.

SATURDAY, October 21, 1871.

Morning Prayer was said by the Rev. Isaac G. Hubbard, D.D., a deputy from the Diocese of New Hampshire, assisted by the Rev. R. S. Howland, D.D., a deputy from the Diocese of New York.

The Journal of yesterday's proceedings was read and approved.

CANONS ON ORDINATION.

The Rev. Dr. HAIGHT, of New York. As the matter of the report on theological education was before us last night, I move that the further consideration of that report be made the order of the day for Monday evening next at 7 o'clock. It is very important that my colleague (the Rev. Dr. Hare, of Pennsylvania) should know precisely when that will come up again, as he has to prepare himself. I move that the further consideration of that report be the order of the day for Monday evening at 7 o'clock.

The motion was agreed to.

CORRECTION.

Mr. JUDD, of Illinois, I rise to a privileged question. In this morning's report in *THE CHURCHMAN*, I am represented as having said that this Church is the Church of England,—part and parcel of it. Perhaps I did not make myself fully understood. I meant to say that this Church is identical with the Church of England, notwithstanding the name is altered,—that it is part and parcel of the same. I want to correct a wrong impression as to what I did say.

WHEN CANONS TAKE EFFECT.

The Rev. Dr. HAIGHT, of New York. The Committee on Canons, who have had under consideration the subjoined Canon "of the time when Canons shall take effect," respectfully report that they recommend the adoption of the following resolution:

Resolved, That the following be enacted as a new Canon:

"Of the time when New Canons shall take effect."

"All Canons hereafter enacted, unless otherwise specially ordered, shall take effect on the 1st day of January following the adjournment of the General Convention by which they are made."

There is no law on the subject now, and if the Canons take effect from the day of adjournment of the General Convention, no one knows what they are for three or four months. I move the adoption of the resolution reported.

The resolution was adopted.

MINORITY REPRESENTATION.

The Rev. Dr. HAIGHT, of New York. The Committee on Canons, to whom it was referred to inquire into the expediency of introducing such changes into the Constitution and Canons of this Church as may provide for the representation of minorities, respectfully report that they have considered the subject referred to them, and are of opinion that no action is expedient at this time. They therefore recommend the adoption of the following resolution:

Resolved, That the Committee on Canons be discharged from the further consideration of the subject of minority representation.

The resolution was agreed to.

NAME OF GENERAL CONVENTION.

The Rev. Dr. HAIGHT, of New York. The Committee on Canons, to whom was referred the expediency of changing the name of this body from "Convention" to "Council," respectfully report that they have considered the subject, and are of opinion that the proposed change would be inexpedient. They therefore recommend the passage of the following resolution:

Resolved, That the Committee on Canons be discharged from the further consideration of the subject of changing the name of this body from "Convention" to "Council."

Mr. JUDD, of Illinois. I move to suspend action on that.

The Rev. Dr. HAIGHT, of New York. Let it go over.

The PRESIDENT. It will lie on the table.

NUMBER TO CONVICT A MINISTER.

The Rev. Dr. HAIGHT, of New York. The Committee on Canons, to whom was referred a proposed amendment of Section 1, Canon 2, Title II., providing that in the case of a trial of ministers for teaching and holding publicly or privately, and advisedly, any doctrine contrary to that held by this Church, the consent of two-thirds of the number of persons constituting the court of trial, shall be necessary to conviction, respectfully report, that in their opinion, the proposed amendment would conflict with the provision of the Constitution, which gives to the dioceses the right to institute the mode of trying clergymen, and they therefore recommend the passage of the following resolution:

Resolved, That the Committee on Canons be discharged from the further consideration of the subject.

The resolution was agreed to.

PARISH BOUNDARIES.

The Rev. Dr. HAIGHT, of New York. I submit the following report:

The Committee on Canons, to whom was referred the expediency of repealing or modifying clauses one and two of section 6, of Canon 12, Title I., respectfully report that they have considered the subject referred to them, and are of opinion that the repeal or modification of the clauses referred to would not be expedient. They therefore recommend the adoption of the following resolution:

Resolved, That the Committee on Canons be discharged from the further consideration of the subject.

This relates to parish boundaries.

The Rev. Dr. CLARK, of New Jersey. I move that that lie over.

The Rev. Dr. HAIGHT, of New York. It will lie on the table.

The PRESIDENT. The report lies on the table.

MINISTERS OF FOREIGN COUNTRIES.

The Rev. Dr. HAIGHT, of New York. I also submit the following report:

The Committee on Canons, to whom was referred the question of the expediency of amending Canon 11 of Title I, with a view of avoiding a supposed conflict between the said Canon and the preface of the Book of Common Prayer, respectfully report :

That in their opinion it is inexpedient to take any action on the subject, and they, therefore, recommend the adoption of the following resolution :

Resolved, That the Committee on Canons be discharged from the further consideration of the subject.

I have one word to say in explanation of that. This is Canon 11 of Title I, which it is proposed to alter with a view of avoiding a supposed conflict. The reason why the committee say it is inexpedient is, the immediately preceding Canon, Canon 10, "Of ministers ordained in foreign countries by Bishops in communion with this 'Church,'" meets the case, for that Canon provides for ministers officiating from the Church of England. I move that the committee be discharged.

The motion was agreed to.

SESSIONS IN NEW YORK.

The Rev. Dr. VAN DEUSEN, of Central New York. The Committee on the State of the Church to whom was referred the consideration of the expediency of holding the sessions of the General Convention permanently in the city of New York, beg leave to report that they do not consider such a measure expedient, and ask to be discharged.

The committee were discharged.

STATISTICAL REPORTS.

The Rev. Dr. VAN DEUSEN, of Central New York. The Committee on the State of the Church beg leave to offer the following resolution :

Resolved, That it be recommended to the several dioceses to adopt a form of keeping their statistical reports which can be easily summarized under the following heads :

I hold in my hand a formulary under the several heads respectively, but I suppose it is hardly necessary to read them, the object of the committee being to secure a more accurate idea of the condition of the several dioceses from their tabular digests. In stating yesterday the amount of contributions of the whole Church for the last triennial period, we found that from several of the dioceses we had no reports of the amount of their current expenses, including salaries, etc. The object of the committee is to secure a more accurate return from the several dioceses in regard to their condition.

In addition to that resolution, we offer the following :

Resolved, further, That in reporting moneys contributed for Church and benevolent purposes, all parochial expenses (for salaries, etc.) and other contributions be included.

The Rev. Dr. LEWIN, of Maryland. I wish to make a suggestion in reference to this report. In Maryland it would be very impracticable, if not impossible, to make this report in regard to salaries.

My esteemed friend knows well, for he labored faithfully for a number of years in this diocese, that we have between sixty and seventy glebes, farms, the income of which is taken into account in furnishing a support for the clergy. An estimated value so as to fix the salaries from the profits derived from these glebes would be extremely difficult, and therefore any report in regard to salaries in this diocese must be incomplete. It was my duty to prepare this statistical report for this General Convention and I found that difficult. It was almost entirely impossible on farms of two and three hundred acres to estimate their income. It must necessarily be mere conjecture, and I do not see how it can be reached. If there are any other dioceses situated as Maryland is, of course the same difficulty will exist in those dioceses.

The Rev. Dr. VAN DEUSEN, of Central New York. The Committee do not anticipate that there shall be as perfect accuracy as the gentleman seems to suppose, but that we shall have an average return from the several rectors in the respective dioceses of the amount of their contributions ; and any gentleman who has been upon the Committee, and whose duty it has been to examine the returns of the several dioceses, will see at once not only the propriety, but the absolute necessity of having a fixed form of report, so that we can readily reach the aggregate of contributions for various dioceses. It is a matter of the greatest importance. We are not particularly attached to this exact form. We rather recommend it as a formulary which may be amended or changed at the pleasure of any member of the House ; but we do urge most earnestly the adoption of some formulary by which we can reach an accurate view of the state of the Church.

The Rev. Mr. SPAULDING, of Pittsburgh. I wish to offer an amendment to the form of parochial report proposed by the chairman, and which, I think, will be approved by nearly every member of this House. I think that it was omitted simply by inadvertence. I propose to amend by inserting "baptized members" before "communicants." It is required by Canon 12, Title I., Section 5, that every clergyman of this Church shall keep a list of his baptized members, but there is no provision in Canon 15 whereby this information is required to be brought before the Committee on the State of the Church, as it should be. I presume the Committee on Canons will report an amendment to Canon 15, inserting the words "baptized members" before "communicants," so that the General Convention can have that information before them. Many of our Church people do not know that baptized persons are members of the Church. It is a popular idea, derived from denominations around us, that the only Church members are communicants. Now, it is obvious that children baptized into the Church, not yet confirmed, not having arrived at years of discretion, are just as much members of this Church, add just as much to the strength of this Church, and are just as much to be estimated as part of the members of this Church, as commu-

nicants are. I conceive that it is of very great importance that we should have statistics of the membership of this Church, not simply the communicants. In many of the dioceses, Bishops in their visitation afterward require this. It is so in Connecticut, and many other dioceses. As the forms of parochial reports are perfected in the dioceses, this information is required already in many dioceses. Should the amendment of the Canon already referred to the Committee on Canons be adopted, as I have good reason to think it will be, for I know it is approved by many members of the Committee on Canons, then this will be required.

Therefore, I think this House, in adopting the form of parochial report prepared by the Committee on the State of the Church, should make this amendment, by inserting "baptized members" before "communicants."

The Rev. Dr. BURR, of Ohio. I second that motion. It was probably an oversight in the Committee on the State of the Church that it was not brought up for discussion, but it is so obvious that I presume it will be readily accepted.

The Rev. Dr. McNAMARA, of Nebraska. I think this is a very important matter, and I trust the members of the Convention will see the importance of recommitting this report to the Committee on the State of the Church.

We should have some statistics with reference to our congregations. About one third or two thirds of our entire people are overlooked, who do a great deal for the true Church of God, men who are not baptized, nor communicants, nor confirmed, and in order to have it brought before the Church in statistics, we should know, I think, who attend our churches, who are not baptized, who are baptized and not confirmed, who are confirmed and not communicants. The strength and power of the Church as to church attendance is never brought before the people of the United States. We merely look at the baptized, the confirmed, and the communicants, whereas whoever will attend our churches on Communion days will see vast multitudes of people going out and comparatively few remaining for Holy Communion. The great amount of funds given to us by those who have not yet arrived at the point of becoming full communicants, or those non-confirmed, or even non-baptized in the Church, I think should be statistically arranged. I trust that this matter, now that it has got into this shape, will be perfected, that this report may be re-committed, in order that the committee may provide for such statistics as those. I proposed this once in Wisconsin, and I was pooh-pooh'd at, but they are adopting it now in some dioceses, and I do not know but they will get to it in Wisconsin yet.

I move that this report be re-committed to the Committee on the State of the Church, so that it may be perfected in these respects.

Mr. CORNWALL, of Kentucky. It seems to me hardly worth while to say anything more, but it has been suggested to me that I should say

something in favor of this report. In the Presbyterian Confession of faith there are these words: "Children born in the visible Church, dedicated to God in baptism, are under the discipline of the Church and under the care of the Church, and when they come to years of discretion, if they be sober and steady and have sufficient knowledge to discern the Lord's body, they should be informed that it is their duty and their privilege to come to the Lord's Supper."

This resolution is an approach toward saving the young, to performing more perfectly the duty which sponsors promise in baptism, to lay before the world a more accurate statement of our membership and of the power which we ought to have if we exercise the proper discipline of the Church, if we have due regard to the religious training and instruction of the young. I have no doubt the sense of the House will be nearly unanimous in favor of passing such a Canon unless it should, unfortunately, be lost in the hurry of the closing hours of the session.

Mr. DEROSSET, of North Carolina. If this form is to be adopted, it seems to me essential that it should be made obligatory on the dioceses to adopt it as a uniform rule. That must be done either by Canon or in some other way. It has occurred to me that the proper way to make it obligatory upon the vestries to bring it before the dioceses, would be to request the House of Bishops to take measures to adopt a form for the communication of statistical information and to request its adoption by all the dioceses. I do not know that this is the proper time to make such a motion; but if the report is to be re-committed I thought I would make the suggestion so that the Committee could take it into consideration and propose such a resolution if they should think it proper.

The Rev. Dr. McNAMARA, of Nebraska. The chairman of the committee favors my proposition, for these additional statistics, and so it can be adopted without recommitting the report.

The Rev. Dr. VAN DEUSEN, of Central New York. To facilitate business, the Chairman is, I think, authorized from the temperament of the committee this morning, to say that both the amendments proposed will be accepted.

The Rev. Mr. GILLESPIE, of Michigan. I suggest that in some dioceses the Bishops claim that inasmuch as this report is made to them, the form is entirely in their own hands, and they do not allow their conventions to entertain the subject of the form of the report. That is the case in the diocese I represent and I think in others. I think, therefore, there should be a change in the language of the resolution so as to apply to the Bishops as well as the dioceses.

The Rev. Dr. BEARDSLEY, of Connecticut. The language of the present Canon is: "And these reports, or such parts of them as the Bishop shall think fit, may be read in Convention, and shall be entered on the journals thereof." He may strike out the very things the Chairman of the Committee on the State of the Church asks us to bring forward.

I think it would be an utter impossibility in many of the dioceses, certainly in many of the parishes, to go into the particulars which the Committee on the State of the Church proposes to require of us.

The Rev. Dr. VAN DEUSEN, of Central New York. I beg leave to state, in order to correct a misapprehension that seems to prevail in the minds of many, that this is merely a recommendation.

The Rev. Dr. BEARDSLEY, of Connecticut. It interferes with the Canon. I should like the committee to examine the Canon with reference to this subject.

The Rev. Dr. VAN DEUSEN, of Central New York. What is the Canon?

The PRESIDENT. It is evident that this matter cannot be adjusted without a recommitment. Does the gentleman from Nebraska persevere in that motion, or has he withdrawn it?

The Rev. Dr. McNAMARA, of Nebraska. I persevere in my motion. The chairman of the committee thought that motion would be equivalent to sending the report to that tomb so frequently spoken of, and I do not want it to go to the tomb even in its imperfect condition.

The Rev. Dr. MITCHELL, of Georgia. The simplest way would be for the chairman to ask leave to withdraw the report and present it again.

The Rev. Dr. VAN DEUSEN, of Central New York. I have no objection to adopting that course.

The PRESIDENT. The report is withdrawn.

ORGANIZATION OF CHRISTIAN WOMEN.

The Rev. Dr. VAN DEUSEN, of Central New York. The Committee on the State of the Church are prepared to make their report on the organization of Christian women, and I ask the member of the committee from New Jersey to read their report.

The Rev. Dr. Abercrombie, of New Jersey, read the report, as follows:

The Committee on the State of the Church, to whom was referred the memorial on sisterhoods, have considered the subject as far as time and means of information within their reach would allow, and beg leave to report:

That they regard the memorial as presenting a subject of great importance and worthy of grave consideration to the mind of the Church. The time has come when some provision should be made to meet the growing necessities for more help in carrying on the great work of education and charity in the Church.

That there is a deep and earnest thoughtfulness on the best methods of inaugurating, directing, and controlling these agencies auxiliary to the ministry which are springing up in every part of the land, is patent in the earnest language of sermons, essays, and the current publications of the day.

Of these agencies none seems to have elicited more heartfelt and intense interest than the sisterhoods which have already begun to labor in various parts of the Church. Your committee will not conceal the difficulties which in *limine* spring up to obstruct any scheme of practical measures for util-

izing the proffered work of women by organized sisterhoods.

The prejudice which identifies every such movement with the false and pernicious system of the Church of Rome, and would forget the pure and living Church of the early ages which adopted such instrumentalities for the great work of charity she was sent in the world to do, has too long kept the Church in apathy, and quenched the spirit which has been poured out on her daughters, yearning to consecrate themselves, as the Phebes and Priscillas of Apostolic times, to the labors to which the love of Christ constrained them.

Your committee believe that no plan or method could be devised for organizing women into sisterhoods that would not meet with some opposition, and that there is no better way of overcoming this prejudice than by the practical exhibit of the wonderful fruits that attend this labor of love. That prejudice, we believe, is fast passing away under the deep and growing conviction of the need of such organizations. There is a vast work of benevolence among the masses that women only can do. There is a need of their gentle and God-ordained ministry and sympathy in every country, city, village, and hamlet, in our land. In the training of the young, the care of the sick and the destitute, in all those offices which require deep interest, delicate tact, and untiring devotion, woman has been endowed for the work. But amid the manifold duties and distractions of ordinary life, she cannot devote herself successfully to this great work of ministering to the needy. She needs to be exempt from domestic cares, or her life and labors in this cause will be uncertain and unreliable. Entire self-consecration to Christ and His work is an essential requisite to her efficiency. Nor can she work effectually while alone, separated from that genial sympathy of consociation with those whose common voice and interest would help to guide, sustain, and comfort her. Thousands of devoted women of the Church are left in cold and cheerless isolation of unaided effort, and waste often precious powers and labors, which if gathered into organized agency would redound to the holy joy and success of the worker, and more to the glory of God, and good will and blessing to men. The action which has already been had in organizing these communities of women for Christian work in England and Germany, and our own country, is a practical and inspiring commentary not only on the fact that the sentiment of the Church has already been formed on this subject, and that action is outleaping legislative recommendation, but that the irrepressible life of love in the Church is developing itself in the best and surest methods for utilizing the proffered hearts and hands of women in the vineyard of Christ. We do not believe that this simultaneous consecration of women, and desire to associate in sisterhoods, has sprung out of Church legislation, but is the spontaneous flow of devotion from the grace which in this dispensation of the Holy Spirit is producing a moral resurrection

from the dead. Give it life, direction, corporate strength, encouragement, and multitudes who live now an aimless and useless life, will be won to lives of usefulness, while a vast field of work will be occupied by those, who as angels of mercy, bound together by common ties of sisterhood, would teach the world the power and beauty of self-sacrifice, of pure and holy lives, and far above any earthly claims, the joys of hope in Him who cometh, His rewards with him, to give to every one according to their work.

In view of the gradual and prudent development of such organizations in several of our dioceses, and the difficulties which would attend conciliar action in obtaining any one common method for regulating the organization and direction of such Sisterhoods, your committee would recommend that no conciliar legislative action as to detail of method be taken on the subject, but that they be left to the control of the Bishops and clergy of the respective dioceses in which such Sisterhoods do or shall exist.

Your committee therefore suggest that the above report be submitted to the House, with the following resolution, for adoption:

Resolved, That this House regards with deep interest the work of women in the Church, and the formation of such Christian organizations as may consist with the government and rules of the Church,

Resolved, That it be recommended to the respective dioceses and missionary jurisdictions which may desire the aid of such organizations, to adopt such measures as may promote the efficiency of such auxiliaries and guard against abuses.

All which is respectfully submitted,

E. M. VAN DEUSEN, Chairman.

The Rev. Mr. SPAULDING, of Pittsburgh. These resolutions do not go so far as the report that precedes and introduces them. I think this House is prepared to go as far as the Board of Missions has gone in their recommendations, and also as far was recommended by Dean Howson in his very interesting address before the Board of Missions, the other evening. I think these resolutions are very good as far as they go, but it seems to me they ought to go farther. I agree perfectly with the gentleman who has read this very able and interesting report, that no canonical action is required, or would be expedient, but I think the recommendation of judicious measures would be expedient, and I have a resolution, which I will read as part of my speech, which I desire to offer as supplementing these resolutions, and bringing out fully and recommending all that is endorsed by the report as read. The further recommendations that I would make would be these:

Resolved, That it be further recommended to establish in every diocese, where practicable, in connection with a Central Church Home or Hospital, an order of deaconesses or sisters, and a Training School for the same, to fit them for the various works of mercy for which their services are needed, such women to be without vows, or rules of life

which are not sanctioned by the Bishop; and that, when qualified, they be employed in missionary and other work under the direction of the Bishop and clergy.

At the proper time, after the passage of the resolutions of the committee, I should like to submit this further resolution to the House, and I think it will be carried unanimously.

Mr. WELSH, of Pennsylvania. Why not move it as an amendment?

The Rev. Mr. SPAULDING, of Pittsburgh. I hope the Chairman will accept this resolution as supplementing the other two. It goes no further than has been recommended by the Board of Missions in their action, no further than was recommended by Dean Howson in his address, which met with universal endorsement. I think we should make this further recommendation.

The PRESIDENT. The question will first be on the adoption of the resolutions reported by the committee.

The resolutions of the Committee were adopted.

The PRESIDENT. The question now is on the additional resolution offered by the deputy from Pittsburgh.

Mr. WELSH, of Pennsylvania. I can say in one single moment all that I have to say in regard to this resolution. The reverend gentleman who moved it speaks whereof he knows. He has prepared a little manual which will be of very great service in certain departments of this work. I have a few copies of that manual for gratuitous distribution.

I have been asked by a number of clergy of this Convention in regard to the Training School in Philadelphia, That school is prepared to aid in training Christian women from all parts of the land, whether they have means or no means. If they are sent from parishes able to support them, we expect their board to be paid, if they are to return to work in the parishes. But when they are sent from poor parishes, if those be free churches, so that the work of these women will tell when they go back, there is no charge; they are trained gratuitously; and so, when there with a view of going to the foreign missionary field, there is no charge. It is only when they come from parishes quite able to sustain them, and that desire their services as soon as they are trained, that there is any compensation asked.

The Rev. Dr. BEACH, of New York. There is something in that resolution which I should like to hear again. I refer to that portion about vows.

The Rev. Dr. PERKINS, of Kentucky. I also should like to hear that read. The question is, whether they are allowed to take vows if the Bishop sanctions it.

The Rev. Mr. SPAULDING, of Pittsburgh. I should like to substitute the word "institution" for "order," and then to insert a semicolon after the word "vows." The meaning is that they are not allowed to take vows at all.

The Rev. Dr. BEACH, of New York. Let the resolution be read again.

The SECRETARY read the resolution.

The Rev. Dr. DEKOVEN, of Wisconsin. I trust we are not going to introduce any resolution which

will prevent people from getting married if they want to. [Laughter.]

The Rev. Mr. SPAULDING, of Pittsburgh. I will add the words "binding them to that state of life" after the word "vows."

Mr. SMITH, of South Carolina. That will not meet the difficulty. The language of the resolution is "such woman to be without vows, or rules of life which are not sanctioned by the Bishop." The converse of that is, that if sanctioned by the Bishop, they may take the vows.

The Rev. Dr. UFFORD, of Ohio. I think the resolutions of the Committee go far enough, and I therefore move to lay the resolution on the table.

The question being put, there were, on a division, ayes 66, noes 66.

The PRESIDENT voted no; and the motion was not agreed to.

Mr. WELSH, of Pennsylvania. I think the Rev. gentleman will amend the resolution in a moment to please every one.

The PRESIDENT. I think that is the better way.

Mr. SMITH, of South Carolina. Just say "without vows."

Mr. LIVINGSTON, of New York. I move to strike out all after the word "vows."

The Rev. Dr. HARE, of Pennsylvania. May we have the pending resolution read again?

The Rev. Dr. VAN DEUSEN, of Central New York. The Committee on the State of the Church have a further report to make on the subject of Evangelization as presented in a memorial from Iowa. I call on my colleague from Wisconsin to read the report.

Mr. SHEFFEY, of Virginia. Have we not a question pending before us on the resolution of the gentleman from Pittsburgh?

The PRESIDENT. We are waiting on him to put it in to the form he desires.

SYSTEM OF EVANGELISTS

The Rev. Dr. Beers, of Wisconsin, presented the following report:

The Committee on the State of the Church, to whom was referred the memorial from the Western Convocation of the Diocese of Iowa, on the subject of employing evangelists for extending the Church and Gospel to destitute regions, have given the subject such attention as they were able, and beg leave to report.

They are persuaded that the earnest language of the memorialists fairly represents the sentiments and wants of extensive districts and large numbers in the Church in all parts of the country, particularly in the West and Southwest. The need of more laborers is widespread, indisputable, and most pressing. In view of these facts, we recommend for adoption the following resolutions:

1. *Resolved*, That this House regards with deep interest any effort in accordance with the government and rules of our Church to educate and bring forward into the ministry a class of clergymen, whether known as evangelists, itinerants, or pioneer missionaries, especially qualified and prepared to preach and labor to meet the spiritual wants of multitudes who are not, and cannot, be provided

for by the regular parochial and missionary arrangements now in use.

2. *Resolved*, That it be recommended to the proper authorities of such Diocesan and Missionary Jurisdictions as may desire so to do, to proceed with any measures which their judgment may suggest as careful and wise for training a body of evangelists or pioneer missionaries; and it is further recommended that the principle of associate missions be duly considered and, if approved and established, that they be located in growing centres of missionary influence under existing missionary organizations, where such exist, and subject to diocesan authority, and that, while doing missionary work proper, they also be made nuclei of Church growth in general education, charity, and training of ministers, so as to show themselves germinal centres of that Church life which is in and of Him who is the Life, and that all efforts to this end are hereby commended to the charitable sympathies and pecuniary support of the Church.

3. *Resolved*, That it be recommended to the Board of Missions to inquire into the expediency of testing the practical working of this plan of evangelization in some portion of the great field under their care.

All of which is respectfully submitted.

E. M. VAN DEUSEN, D.D.,

Chairman.

The Rev. Dr. BEERS, of Wisconsin. I have been requested by the deputies who have charge of the memorial referred to the Committee on the State of the Church, and on which memorial this report is based, to say a word. I suppose that they will really bring the merits of the matter which they desire to interest the House in, before it better than anybody else can. I merely wish to say that it seems to me that this class of business before the General Convention is, after all, the business that ought to interest it, to call forth its best wisdom, its most careful consideration, and to occupy the largest part of its time. This General Convention sits, in both its Houses, really, after all, to express it in brief, in order to carry out the direction of the Great Head of the Church, "Go ye into all parts of the world and preach the gospel to every creature; in order that he that believeth may be baptized and be saved."

It impresses a great many persons, perhaps erroneously, from watching the ordinary current of debate and business in the General Convention, that it is occupied more in surrounding the work of preaching the gospel to every creature, with such restrictions as may limit the number preached to, to the smallest possible number, rather than to take away hindrances and to remove obstacles, and to create facilities, so that every creature may hear the gospel and be baptized and be saved.

This is all the suggestion that I have to make on the subject, and now I leave it to others to discuss the merits of the question if it is necessary.

The PRESIDENT. This report was allowed to be received to save time. Is the gentleman from Pittsburgh ready with his resolution?

The Rev. Dr. FRANKLIN, of Indiana. There is one fact not stated in that report, that the report and resolution are presented unanimously by the Committee on the State of the Church.

The PRESIDENT. The report lies on the table for the present.

INSTITUTION OF DEACONESSSES.

The Rev. Mr. SPAULDING, of Pittsburgh. I have modified my resolution in this form:

Resolved, That it be further recommended, to establish in every diocese where practicable, in connection with a Central Church Home or Hospital, an institution of deaconesses and a Training School for the same, to fit them for the various works of mercy in which their services may be needed; such women to be under such rules as may be made by the Bishop, but such rules in no case to prescribe vows of any sort; and that when qualified they be employed in missionary and other work under the direction of the Bishop and clergy.

The Rev. Mr. SMITH, of New Jersey. I move to amend the resolution by striking out all relating to vows.

The Rev. Dr. HOWE, of Pennsylvania. I should like to ask the mover of the resolution one question for information, whether it was intended to exclude the institution of deaconesses in dioceses where there is no Church Home and Hospital.

The Rev. Mr. SPAULDING, of Pittsburgh. Not at all.

The Rev. Mr. HUNTINGTON, of Massachusetts. I should like to offer a substitute for the proposition. With a deeper sympathy than I can possibly express with the purport of the resolution offered by my brother from Pittsburgh, I should like to offer a substitute for it which I think will unite us all. I held it in my hand, and was about to read it, when the brother from Pittsburgh first introduced this subject the other day. I took his interruption as a providential thing, and therefore was silent, and did not read the resolution which I now hold in my hand. I had written it out before anything was said on the subject by him, or before the admirable address by the Dean of Chester. It seems to me that, with all possible sympathy in this subject, we are going a little too far—we are legislating for deaconesses before we have ascertained what a deaconess is—a most important question, and one that demands very careful and thorough inquiry. Is a deaconess a woman in Orders, or is she not? I submit that that is a question not yet settled, and I would therefore move as a substitute for the resolution of the gentleman from Pittsburgh, the following;

Resolved (the House of Bishops concurring), That a Joint Committee, to consist, on the part of this House, of three members of each Order, be appointed, to report to the next General Convention on the expediency of reviving in this Church the primitive order of deaconesses.

Sir, this whole matter of woman's work divides itself, both chronologically and logically, into two typical forms, one of which is the form alluded to in the report of the Committee on the State of the Church, namely, that of associated women's work coming under the general name of Sisterhoods, and the other that of the individual woman-worker, which comes under the head of deaconess. I submit that this matter is at present a good deal confused, and that by appending this resolution to the

two resolutions from the Committee on the State of the Church we shall bring about the right and true balance, and we shall inform ourselves upon all the bearings of this subject, instead of upon only one of them. I very much trust the brother from Pittsburgh will accept this substitute and avoid all further discussion.

The PRESIDENT. Unless the House suspend the order of the day, the time has arrived to enter upon it.

Several DEPUTIES. Order of the day.

The PRESIDENT. The order of the day is the Canon reported by the Joint Committee on Ritual.

Mr. MUDGE, of Massachusetts. I move the suspension of the order of the day to take the vote on the proposition of my clerical friend and co-deputy from Massachusetts.

The PRESIDENT. There are two or three chairmen of committees very anxious to make reports, and if the order of the day is suspended it had better be for both these objects. ["Agreed."] It is moved to suspend the order of the day in order to take a vote on the proposition just offered by the gentleman from Massachusetts, and also to receive reports from two or three committees.

The motion was agreed to.

The Rev. Dr. DALZELL, of Louisiana. Allow me to suggest that, instead of offering the resolution of the deputy from Massachusetts as a substitute for the committee's resolutions, he should offer it as an independent motion.

The Rev. Mr. HUNTINGTON, of Massachusetts. I am willing to have it considered as an independent resolution; but I do not believe in legislating for deaconesses until we know what deaconesses are.

The Rev. Dr. DALZELL, of Louisiana. My object is to have sisterhoods until we get deaconesses.

Mr. WELSH, of Pennsylvania. I see no difficulty in adopting both. One is to adopt a name not permanently, and the other is to see whether we are prepared to have an order of that kind.

The Rev. Mr. HUNTINGTON, of Massachusetts. I am sanguine enough to believe that we shall yet see accredited and recognized women in Orders in this Church.

Mr. WELSH, of Pennsylvania. I see no objections to both resolutions.

The PRESIDENT. The question is on the amendment of the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

The PRESIDENT. The question now is on the resolution offered by the gentleman from Pittsburgh.

The Rev. Dr. GOODWIN, of Pennsylvania. I move that it be postponed.

The Rev. Dr. McNAMARA, of Nebraska. I hope it will prevail. Three years is a long time, one tenth of the average of human life. We can do a good deal in three years.

The Rev. Mr. CURRIE, of Rhode Island. We have no time to discuss this very important question, and inasmuch as the motion seems to present the opportunity to every diocese in the country to establish an institution of this kind, and seeing that the matter cannot now be properly ventilated because we are eager for the order of the day, I move

that the subject be for the present laid on the table.

The motion was not agreed to, there being on a division, ayes 76, noes 93.

The Rev. Dr. GOODWIN, of Pennsylvania. I ask for the reading of the resolution, for something was said to be omitted.

The PRESIDENT. The resolution of the gentleman from Massachusetts was adopted as an amendment.

Mr. JENKINS, of Georgia. A substitute, I understood.

The PRESIDENT. How does that leave the original resolution? Will Judge Sheffey inform us?

Mr. SHEFFEY, of Virginia. If it was a substitute for the resolution of the gentleman from Pittsburgh, it is like the case of Aaron's rod, it has swallowed it up.

The PRESIDENT. He had no right to offer it as a substitute under our special rule.

The Rev. Mr. HUNTINGTON, of Massachusetts. I understood that it was not received as a substitute, but voted on as an independent resolution, to be added to the resolutions of the Committee.

Mr. DEROSSET, of North Carolina. It was adopted by the House under the impression, I think, conveyed by the suggestion of Mr. Welsh, that both resolutions should be adopted.

The PRESIDENT. I believe it was so adopted. I am merely inquiring as to the technical position in which we are placed.

The Rev. Dr. CADY, of New York. I move a reconsideration, then, for the purpose of allowing it to be offered as an independent resolution.

Mr. SHEFFEY, of Virginia. The gentleman from Pittsburgh offered a resolution. That was before the House. The gentleman from Massachusetts offered what is pleased to be called a substitute, and not an amendment; but I call it an amendment to a pending proposition by way of substitute. That was voted upon and carried. That would annihilate the proposition of the gentleman from Pittsburgh. But if the House were to vote upon it as a separate, independent proposition, then I submit that the Chair should have held back the motion of the gentleman from Massachusetts, and put the question first on the motion of the gentleman from Pittsburgh, that being the pending proposition before the House. I therefore suggest, to save time, that, by unanimous consent, we take up the proposition of the gentleman from Pittsburgh, vote on that, and then vote on that of my friend from Massachusetts.

The PRESIDENT. Then the resolution now before the House by unanimous consent, dispensing with mere technical rules, is the resolution offered by the gentleman from Pittsburgh.

The SECRETARY read the resolution as follows:

Resolved, That it be further recommended to establish in every diocese, where practicable, in connection with a Central Church Home or hospital an institution of deaconesses, and a training school for the same, to fit them for the various works of mercy for which their services are needed, such women to be under rules prescribed by the Bishop; and that, when qualified, they be employed in mis-

sionary and other work, under the direction of the Bishop and clergy.

The Rev. Mr. CURRIE, of Rhode Island. I call the attention of the House to the fact that the institutions are contemplated by this resolution: first, a Church Home; secondly, an institution of deaconesses; thirdly, a training school for these deaconesses. Three distinct institutions are contemplated by this resolution, and its expression is such, as I understand it, that we cannot have one without having the other two. I present further to the House that we have not sufficiently considered this matter to warrant the second of these two without specific restraint. The second of these two is "an institution of deaconesses" without restraint of any kind at all. I remind the House further that where such institutions have existed, without restraint being placed upon them, it has been found that a variety of services called "hours," supposed to be necessary for the maintenance of the requisite enthusiasm for this object, has been almost invariably introduced,—a system of services with a spirit and tone that is seriously at variance with the spirit and tone of this Church. On these grounds, therefore; first, that the resolution contemplates three institutions, and not one without the other two; secondly, that the second—

Mr. BURGWIN, of Pittsburg. I rise to a point of order. We suspended the rules simply for the purpose of taking the vote, and if the matter is to become a subject for debate, I think we had better rescind the resolution, and go on with the order of the day. ["Question!" "Question!"]

The PRESIDENT. A motion to postpone has been made.

The Rev. Mr. ROGERS, of Texas. What is the effect of that?

Mr. LIVINGSTON, of New York. What is the effect on the resolution of the gentleman from Massachusetts?

The PRESIDENT. Really, that resolution has been carried.

Mr. JUDD, of Illinois. I hope this whole matter will not be postponed. The subject of the resolution introduced by the gentleman from Pittsburgh was an amendment or addition to the report of the committee relative to associate missions, etc. I hope that will not be loaded down so that it will be lost.

The PRESIDENT. The question is on postponing the resolution.

The motion to postpone was agreed to.

MISSIONARY JURISDICTIONS.

The Rev. Dr. MEAD, of Connecticut. There is a report from the Committee on Canons, which it is important should be sent immediately to the House of Bishops for concurrence.

The Secretary read the report as follows:

The Committee on Canons, to whom was referred message No. 38 from the House of Bishops, respectfully report that the message above-mentioned contains the action of the House of Bishops in amending Section 8 of Canon 13 of Title I., relating to the jurisdiction of domestic missionary Bishops, but is not in the form required by Canon 2 of Title IV. The Committee therefore recommend

the adoption of the following resolution, which is virtually a concurrence with the action of the House of Bishops, but conforms to the provisions of the Canon:

Resolved (the House of Bishops concurring), That Clause 1, Section 7, of Canon 13, of Title I., is hereby amended so as to read as follows:

"§ 7. [1.] The House of Clerical and Lay Deputies may, from time to time, on nomination by the House of Bishops, elect a suitable person or persons to be a Bishop or Bishops of this Church, to exercise episcopal functions in States or Territories, or parts thereof, not organized into dioceses. The evidence of such election shall be a certificate, to be subscribed a constitutional majority of said House of Clerical and Lay Deputies, in the form required by the 2d Section of this Canon, to be given by the members of the Diocesan Conventions on the recommendation of Bishops elect for consecration, which certificate shall be produced to the House of Bishops; and if the House of Bishops shall consent to the consecration, they may take Order for that purpose."

Resolved (the House of Bishops concurring), That clause 2d of Section 7 of Canon 13 of Title I., is hereby amended so as to read as follows:

"[2.] The Bishop or Bishops so elected and consecrated, shall exercise episcopal functions in such States and Territories, or parts thereof, in conformity with the Constitution and Canons of the Church, and under such regulations and instructions, not inconsistent therewith, as the House of Bishops may prescribe; and the House of Bishops may at any time increase or diminish the number of States or Territories, or parts thereof, over which the said Bishop or Bishops shall exercise episcopal functions."

Resolved (the House of Bishops concurring), That Clause 7 of Section 7 of Canon 13 of Title I. is hereby amended so as to read as follows:

"[7] Every such Bishop shall report to each General Convention his proceedings and the state and condition of the Church within his missionary jurisdiction, and at least once a year make a report to the Board of Missions."

By order of the committee,

WM. COOPER MEAD, D.D.,
Chairman.

The Rev. Dr. MEAD, of Connecticut. I will state to the House that the only alteration made is by the insertion of "parts thereof," in two or three of the sub-sections, and the reason for that alteration is this: The original provision was for States and Territories. The Territory of Dakota has been changed in its boundaries and it is desirable to establish a missionary jurisdiction in a part of it; and, therefore, the Bishops have asked us to concur with them for that purpose, but not having sent down to us the matter in a canonical way we have been necessitated to draw it up and ask their concurrence in that which they have already sent down to us.

The resolutions were adopted.

ADDRESS TO THE BISHOP OF LICHFIELD.

The Rev. Dr. MINNEGERODE, of Virginia. I present the report of the Joint Committee on an Address to the Bishop of Lichfield. I think courtesy requires that the report be sent to the House of Bishops

at once, and it ought to be first read here. With the leave of the House, I will read it:

"The General Convention of the American Church has appointed us a committee to ask your lordship to present a request to the other Bishops of the Church of England, and to the clergy of your own diocese, that in future clergymen having charge of parishes and missions should furnish to families and individuals in their respective cures who are about to emigrate to these United States, such letters of commendation and other information touching their character and wants as will secure for them, upon their arrival, fraternal welcome and pastoral sympathy and care in the common fold in which they have been nurtured. The justification of this request lies in the well ascertained fact that many of those members of the Church of England who emigrate to this country, and especially of such as belong to the humbler and less educated classes, being attached to the Church in which they were brought up, by habit and conviction, fail, on arriving at their new homes, to recognize the bonds which bind them to their American brethren as fellow-members of the same household of faith, and are led by slight motives of convenience or interest to unite with other religious bodies to the injury of themselves and of the Church, or allow themselves to fall into perilous habits of neglect of public worship and disuse of holy ordinances altogether; and, even when these more serious evils are not incurred by the want of commendatory letters, that want entails on emigrants the privation to a greater or less extent of the friendly recognition, the kindly co-operation, and the pastoral supervision and care to which, as members of the Church, they are entitled, and which, as dwellers in a strange land, they especially need. For the sake, then, of these, our dear brethren, (often our tempted and suffering brethren, and for the sake of the Church, we request your lordship to use your powerful advocacy in urging on the Bishops and clergy of the Church of England the performance of the humble, but as we think, very useful, service, sanctioned too by the usage of the primitive Church as well as its own intrinsic reasonableness; of sending letters of commendation with those members of their flocks who may come to our shores.

"We remain, with the most profound respect, your lordship's loving brethren in Christ,

SAMUEL ALLEN McCOSKRY,
Bishop of Michigan.

THOMAS ATKINSON,
Bishop of North Carolina.

ABRAM N. LITTLEJOHN,
Bishop of Long Island.

CHARLES MINNEGERODE,
Presbyter, Virginia.

MONTGOMERY SCHUYLER,
Presbyter, Missouri.

NATHAN MATTHEWS,
Lay Delegate from Massachusetts."

The Rev. Dr. FRANKLIN, of Indiana. Is that letter before the House for acceptance, or only to announce the character of it?

The PRESIDENT. No motion is made in reference to it. It is received as a matter of course.

The Rev. Dr. FRANKLIN, of Indiana. I should be glad if one or two terms were changed in it. "Humbler and less educated classes" is one. My experience is that both the high and the low do find their way into the Church, but it is the middle and the mechanical class that do not come to us, that do not

receive letters. Many members of this class are found by us, and known to have been connected with the English Church, but have not brought letters. I should like to suggest the consideration of that case.

The Rev. Dr. MINNEGERODE, of Virginia. This address does not exclude the other class at all.

The Rev. Dr. FRANKLIN, of Indiana. There is mention of these.

The PRESIDENT. There is no motion before the House in reference to the report.

THE HYMNAL.

The Rev. Dr. HOWE, of Pennsylvania, submitted the following report:

The Committee on the Hymnal, who were authorized to receive suggestions as to the omission of hymns from the Hymnal, and the addition of hymns thereto, respectfully report that they have been greatly aided in the work of revision by contributions which have been offered by members of the Convention. A re-examination of the Hymnal has disclosed several literary blemishes and errors of typography, which will be corrected before the book is printed for the use of the Church.

In order to make room for additional hymns, and believing that their admission will not impair the value of the collection, the committee recommend that the following hymns be removed from the Hymnal, namely, hymns 11, 72, 98, 124, 193, 209, 250, 253, 315, 367, 441, 492—twelve in all.

In compliance with the earnest wish of many persons, the committee have inserted several additional hymns, which have been carefully selected from a large amount of material kindly placed in their hands; most of which have been widely adopted in the Church of England, and have become endeared to our congregations, by frequent use during the last three years, under the sanction of the authorities of the Church.

The Committee assure the Convention that nothing will be found in the Hymnal, as thus revised, which can offend a refined Christian taste, and they are confident that in no case has an expression been admitted that is not in accordance with the doctrines of our Communion and the teachings of the Book of Common Prayer.

They recommend the adoption of the following resolution:

Resolved, (the House of Bishops concurring) That this report be adopted and the Committee be instructed to amend the Hymnal accordingly.

THOMAS M. CLARK,
GREGORY T. BEDELL,
A. CLEVELAND COXE,
FREDERIC D. HUNTINGTON,
M. A. DE WOLE HOWE,
HENRY E. PIERREPONT.

Mr. SMITH, of South Carolina. It was announced in this Convention on a previous day that this subject is one of the most important ones that has attracted its attention. It certainly addresses itself very much to the heart of every member, and I appeal to the Convention if now, at the moment of going to the order of the day for which most members are impatient, they will undertake to act upon a report comprising so many hymns which it is impossible for us at this moment to take in and therefore judge of the merit of the report. I think the report itself is of a nature to demand more consideration than we can give to it now. It would be doing injustice to it, besides doing injustice to ourselves to attempt to act upon it at this time. I

hope the reverend gentlemen who has read it will allow it, as I shall move, to be on the table to be taken up at some future day for consideration.

The PRESIDENT. The motion is to lay on the table.

The motion was not agreed to.

The resolution reported by the Committee was adopted.

PUBLICATION OF THE JOURNAL.

The Rev. Mr. MARPLE, of Pennsylvania, submitted a report from the Committee on Expenses, testifying to the correctness of the accounts of the late Treasurers, Herman Cope, and F. Ratchford Starr, and presenting the following resolutions:

Resolved That the Secretary be instructed to have a sufficient number of the Journal of this Convention printed, not exceeding five thousand copies, and that two hundred and fifty copies thereof shall be reserved in the keeping of the Secretary, and that two copies be transmitted by him to every clergyman of this Church having parochial charge, one copy to every other clergyman of this Church, one copy to every clerical member of this Convention, and two copies to each lay member of this Convention, one copy to the Secretary of each Diocesan Convention and to the Secretary of the Standing Committee of each Diocese and to each Bishop of the Church, one copy to the library of every Church college in the United States, and that the Secretary be authorized to cause this Journal to be electrotyped or stereotyped, and to allow the publisher to strike off, at his own expense, and for sale, any number beyond that contracted for by the Secretary.

Resolved That the Secretary be authorized to send one copy of the Journal of this Convention to the Secretaries or Registrars of the various Convocational and Synodical Bodies of the Church in England, Ireland, and Scotland, and of the English Colonial Church, and also to the Holy Governing Synod of the Church of Russia and the National Church of Sweden.

The SECRETARY. I will state that of the present Journal I have distributed 5,725 copies, and I have been very careful in the distribution.

Mr. JUDD, of Illinois. I move to strike out the words "not exceeding five thousand."

The amendment was agreed to.

The PRESIDENT. The question is on the resolutions as amended.

The resolutions as amended were agreed to.

INSTITUTION OF DEACONESSES.

The Rev. Mr. HUNTINGTON of Massachusetts. In the name of common courtesy I ask that my little resolution be not strangled after having been acknowledged by almost the unanimous voice of the Convention as its child.

Mr. WELSH, of Pennsylvania. I move that the subject be made the order of the day for half-past 10 o'clock on Monday.

The PRESIDENT. I was about to bring the attention of the House to the fact that we passed the motion of the gentleman from Kentucky to postpone the resolution offered by the gentleman from Pittsburgh and no day being fixed it amounted to an indefinite postponement, which I believe was not the intention of the House, and I intended to ask that the House allow the vote to be considered as a postponement to 2 o'clock on Monday, so that it may be before the

House for their consideration at that time or whenever it can be reached.

The Rev. Dr. NORTON, of Virginia. By unanimous consent that may be done

The PRESIDENT. If unanimous consent is given to that, the entry will be made accordingly. ["No objection."] It is so ordered.

ORDER OF BUSINESS.

The Rev Mr. Rogers, of Texas. Mr. President—
The Rev. Dr. HOWE, of Pennsylvania. The Committee on Canons have a report to offer which is not long.

Mr. ANDREWS, of Ohio. I ask for the order of the day. We are frittering away the best part of the day in the details of business. I ask for the order of the day.

The Rev Mr. ROGERS, of Texas. There was an order made for Monday at 12 o'clock. It has since been superseded by an order for 11 o'clock, which will run past that time. It is the matter of the memorial of Texas and California. I move that that order be changed to 10 o'clock.

The motion was agreed to.

RELIGIOUS REFORM IN ITALY.

A message (No. 40) from the House of Bishops announced that that House had adopted the following resolution:

Resolved, That the members of the Joint Committee on Religious Reform in Italy on that part of this House be the Bishop of Maryland, the Bishop of Pennsylvania, the Assistant Bishop of Ohio, and the Bishop of Central New York.

USE OF BOOK OF COMMON PRAYER.

A message (No. 41) from the House of Bishops announced that that House had adopted the following resolution:

Resolved, That this House concur in the first clause of the Amended Canon 20, communicated to it in Message No. 31 from the House of Clerical and Lay Deputies relating to the Use of the Book of Common Prayer, and proposes in place of the appended proviso the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That a joint committee of three Bishops, three presbyters and three laymen be appointed to inquire and report whether any, and if any, what action may be necessary or expedient to provide services for use in schools, colleges, hospitals, or other similar institutions, in cottage lectures, mothers' meetings, Bible classes, or missionary or other meetings and lectures, and any missionary work whether in town or country.

The Rev. Dr. PERRY, of Western New York. I move the reference of this message to the Committee on Canons.

The motion was agreed to.

FORMATION OF NEW DIOCESES.

The PRESIDENT. The Chair will call attention to the fact that there is an order of the day for 12 o'clock being the resolution in relation to the alteration of Article 5 of the Constitution.

Mr. JUDD, of Illinois. That is a very important matter and I hope it will be acted on at once. It will not take a moment, for I do not think it will give rise to any discussion.

The SECRETARY read the resolution, as follows:

Resolved (the House of Bishops concurring), That the proposed alteration of Article 5 of the Constitution, proposed at the last General Convention and made known to the several Diocesan Conventions, and printed on page 136 of the Journal of the last General Convention be, and the same is hereby, finally agreed to and ratified as provided in Article 9 of the Constitution.

Mr. JUDD, of Illinois. I move the adoption of the resolution.

The Rev. Dr. MEAD, of Connecticut. I move its postponement and for this reason: It is not the practice of this House, or ought not to be, to pass upon an amendment to the Constitution *viva voce*. It will occupy some time to call the roll and take the vote by dioceses and orders; and therefore as we are just in the midst of a very important question on the previous order of the day, I move that this order be postponed until Monday morning at half-past 10 o'clock.

The motion was agreed to.

HYMNAL.

A message (No. 42) from the House of Bishops announced that that House had passed the following resolutions:

Resolved, That this House concurs in Message No. 41, from the House of Clerical and Lay Deputies, adopting the supplemental report of the Joint Committee on the Hymnal.

Resolved (the House of Clerical and Lay Deputies concurring), That the Hymnal now finally corrected by the committee thereon, shall be free to be printed and published by all responsible publishers who shall obtain a license to that effect, from the Trustees of the Fund for the relief of the widows and orphans of deceased clergymen and of aged, infirm, and disabled clergymen, and who shall assure to such Trustees a payment, to be applied to the uses of the said fund, equivalent to ten per cent. upon the retail selling price; and that the copyright of the Hymnal be vested in said Trustees.

RITUAL UNIFORMITY.

The House proceeded to consider the proposed canon, reported by the Joint Committee on the subject of Ritual Uniformity.

Mr. McCRADY, of South Carolina. Mr. President, I shall not repeat what I said yesterday. If I was understood then, that is enough; and if I was not, I do not know that I shall be able now to make my meaning any clearer. I endeavored to show what connection the English canons referred to in the canon now proposed for our adoption, have with our Church. An objection was made to them yesterday, which I think it better to meet at this time. One gentleman quoted a passage from Blackstone with regard to them. Certainly, what Blackstone says there is true; but in order to exhibit what that truth is, I beg to call attention particularly to the language of Blackstone. Blackstone says that those canons were not binding on the laity. If we were to go no further, it would be sufficient to remark that they are matters in which the laity are not so much concerned as the body of the clergy. It may have been supposed that this exclusion of the laity made them unlawful; and let me call your attention to that point, for it is very important. In England the voice of the laity is expressed through Parliament. There are no laity in the Convocation. The fundamental law of the government of England,

as recognized by all lawyers there, is, that there is no legislation without the assent or representation of those who are concerned. The Commons are supposed to assent through the House of Commons; the Lords through the House of Lords. Whether they do personally or individually assent is not the matter; but they are represented, and they are therefore held to assent. In the Convocation which passed these canons there were no laity, and therefore the laity were not bound. That was all that Blackstone meant.

I might go further and say that on several occasions the judicial authorities of England have said that the clergy were bound by these Canons, though not the laity for the reasons I have assigned. There is one thing in history which is very significant in regard to these very Canons of 1603. These Canons it is said were not passed by Parliament, and that was the ground of the objection to their binding the laity. They were adopted by the Convocation and approved by King James as under an authority given to him as he contended, under a statute of Henry VIII, which allowed him by his Commission to establish such Canons, and James said in his approval that those are binding Canons, and he cites the act of Henry VIII in order to show his authority for making them. But the laity were not represented, and some of those Canons did affect the laity. Then, at the very next session of Parliament—

The Rev. Dr. LEWIN, of Maryland. Does not the gentleman confound the Canons of 1603 with those of 1640?

Mr. McCRADY, of South Carolina. I do not. The Canons of 1603 are those we are speaking of. They never took the form of an act of Parliament; but the House of Commons did declare, at the next session, that no Canon or Constitution ecclesiastical shall be of force to impeach or hurt any person in his life, liberty, lands, or goods, unless confirmed by Parliament. Nothing could be more reasonable, nothing is more plain. But remember that does not touch worship; that touches the life, the liberty, the property of the laity, and in that sense it was that these Canons were not upon the laity; and so it has been decided over and over again in England, but on the other hand, it has been expressly decided that they did bind the clergy because they were passed by Convocation where the clergy were represented.

Mr. BURGWIN, of Pittsburgh. Allow me to ask the gentleman whether it is not now acknowledged that no Canon can be passed by Convocation which is binding at all unless it be re-enacted by Parliament or sanctioned by Parliament.

Mr. McCRADY, of South Carolina. It may be so; but the Church of England is struggling against that very thing. For many reigns it had no Convocation until within our day. The Church is now struggling to get back again to those Convocations, and when she does get back to those Convocations they will have power to speak for the Church. It has been the State all this time that has been speaking for the Church, and now there is an effort making there to let the Church speak for herself. What I call your attention to is that the very Canons we are talking about are the language of the Church, not the language of the State. It is important for us to remember that these Canons are what the Church enacted, not what the State enacted. We are talking about the Canons of the Church of England. This is the language of the Church of England.

It may be remembered that even the statute of

Elizabeth has not got "the Lords Spiritual in it." When that statute was passed it did not contain "the Lords Spiritual" in it, because every Bishop dissented from that act of uniformity. It is said, by Gibson, I think, that the preceding statutes of uniformity did not have "Lords Spiritual" in, but that I am doubtful about. My investigation makes me think there is some mistake about that; but if any one will turn to the act of uniformity passed in Elizabeth's time he will find that "the Lords Spiritual" are omitted. They therefore never assented to that act of uniformity, and this brings me to what is a very important matter.

I think gentlemen here do not understand this question as they ought to do. I can tell gentlemen who are conservatives that they ought to contend for this declaration, and why? It is those Canons that are opposed to that rubric which has made all the trouble in the Church of England. It is these Canons by which you are to determine that that rubric is not law. If any gentleman will look at the English Book of Common Prayer he will perceive (and it is a most singular thing) that you can find that rubric nowhere in what is strictly and technically called the Book of Common Prayer. It is contained in that place where you will find the Calendar, where you will find the Church almanac, where you will find the preface. The preface is not made authority. I have here an English Prayer Book, and that rubric which has made all the trouble in the Church of England is at the end of the Calendar and nowhere else, and every word of it is in the statute of uniformity of Elizabeth to which the Bishops would not assent. The rubric is this:

"The Morning and Evening Prayer shall be used in the accustomed place of the Church, chapel, or chancel, except it shall be otherwise determined by the Ordinary of the place, and the chancel shall remain as it hath done in times past. And here it is to be noted that such ornaments of the Church and of the ministers thereof of all kinds of administration shall be retained and be in use as it were in this Church of England by the authority of Parliament in the second year of the reign of King Edward VI."

It is those ornaments they have been struggling to get back to, and it is these Canons with which you can fight them. What is this declaration here? I trust those who make the declaration which we have in the Canon reported to us, will do it in good faith. No doubt some gentlemen must sacrifice by it something that is dear to them. Be it so. But let them look at it as it is. The Canons give you all you want, but this gives more than was wanted in England and here and this has been the subject of contest from that time to this. What I want to call attention to is that the Bishops refused to assent to that statute of uniformity; and how this rubric got into the English Prayer Book in the way it is, I do not know; but when I took up the book of Nicholl, who is one of the most authoritative commentators on the Book of Common Prayer, to my amazement, I found that this rubric was not there, no part of the Calendar was there. He begins with the order for Morning Prayer and his comments are on that, and he takes no notice of the preceding part of the Book:

As I am taking the opportunity to explain what is meant by asserting that these English Canons are in force, let me ask you to look at the Canon reported. What is it about? About ritual; about worship. What does it assert? Some of my friends are afraid of these English Canons, and unless I had the distinct view which I have of them I should be afraid of them myself. How are they hedged around? I can tell gen-

lemen that by this you are putting a restraint upon everything that is unnecessary. The subject is worship, and this Canon affirms that we go for our rule for worship to those Canons. It does not say for our rules of matrimony; it does not say for our rules for anything else. We simply go to them for our rules for worship. Even if these Canons should allow the bowing at the name of Jesus every time it is mentioned in the worship—what of it? My friend from Pennsylvania (the Rev. Dr. Goodwin) agrees that if it is done reverentially and from the heart, it is not improper. That is all any Canon dare assert. But then, how is that limited? It must not only be a Canon but it must be a Canon in use before 1789. What can you have better? Remember it is not the Canon that was in force but it is the Canon that was put in use which we have adopted by our action and by our practice prior to 1789, before any one of these questions ever arose. Can you have a safer rule? You cannot find one that will be so conservative and so certain to avoid every element of strife which at present exists.

Therefore let us get back to them. Now even by the Committee law, by the law of colonization, every part of the law of England did not come over with us. It was only those parts of it which were applicable to the condition of the colonies, that as we would say, the colonist carried with them in their bosoms, and that which they acted upon when they got into the colonies. Blackstone carefully guards, and so does every judge in England that has ever ruled on the subject, that the application, the use of the laws of the mother country in the colonies, is a matter to be decided by the colonial judicatures first, because they are the only authority who can tell whether the laws of the mother country are in use in the Colonies or not. We have exercised that right. We have done that identical thing. Before 1789 we had a Church in the American Provinces, and the Church used such of these Canons as she thought appropriate, and adopted them by use.

The very same point arose, I understand, on one occasion in Massachusetts, at a very early date, about the use of certain English statutes which had never been adopted by their own Legislature; but the Supreme Court of Massachusetts, which has always been one of the most respectable and learned courts in the United States, held that the adoption of a statute by its use made it law. That I think is what we do here, and remember these Canons do not take their validity from those who pass them but from those who have used them, from those who have brought them here and used them here.

Can you have a safer guard than this? Suppose there are rites and ceremonies used by some one and he is asked where he got them from. He must show that he got them from the Church of England, and that they were in use in this Country in 1789. If he cannot deduce them directly from the Church of England itself, not from some mysterious place beyond that but from that Church, and show that they were in use in this country prior to 1789, they are not authorized. When you go back to 1789, before any of these questions arose at all, you are on safe ground where you may confidently rest. That

will be the effect of this proposed Canon. So far from this clause in it being one which is going to open up legislation which we know nothing about, it is going to confine it in the most sensible manner, and you cannot possibly confine it better. The whole Canon is based on this idea, remembering that we are now asserting from whence we get our laws of worship. Strike this out and where do you get half your usages? The moment you cannot tell exactly where you get them from, you are at sea again, you go back you know not where. If, however, you can show that they are derived from these Canons, then you are safe. It is not enough, however, to find a thing in the Canons; it must be shown that it was in use before 1789.

The next point is the supervision of the Bishop. Gentlemen talk about the Divine right of the Bishops, and their being the true link of the connection of the Church with the Apostles. I believe in the transmission of orders. But some gentlemen when they come to contemplate the idea of the Bishop regulating the ritual, regulating the public worship of the Church, are startled, and talk about my rights and your rights. As the reverend gentleman from New York said, I should like to know whether there was ever any doubt that if the Bishop was not constrained by some general council or some provincial council, he had the right to prescribe this identical thing? There was a reason for it, and what was it? The Bishops were acquainted with the ritual form of worship from the earliest times, and we must believe that that knowledge was carried down traditionally from hand to hand, from mouth to mouth. Who represented that idea and who was to speak for it authoritatively? The Bishops. Some of the fathers say that the test was whether the Bishops taught you that. He was the man who was to receive these traditions; he was the man who was to verify them; and if he had never heard of them they never could have come down, because they must have come through him. Here is the very thing you want the Bishop for and in which of all things you ought to recognize his power. It is in the regulation of the ritual. What do you want? It is not what is written, it is what is the usage, the manner, the form of using that which is written. That comes down by tradition, and in no other way; and therefore he whom you have put over your heads of your own election is the one who knows more of your Church affairs and your Church ritual than anybody else. You ought to presume at least that he knows as much. He stands in a place of authority; you put him there. When you have done that, he is the man to whom you are to go. Propriety, decency, it seems to me, would require a presbyter, who cannot have had so wide a range of usage as the Bishop, to submit to his authority. If there is anything peculiarly the office of the Bishop, it is this very thing, to conserve and preserve the doctrines of the Church and the faith of the Church in the ritual and in the worship. He regulates it and he received it before there was any written ritual. We do not know

that there was any one of these rituals put into black and white during the first three hundred years possibly, certainly the first two hundred years. There is no record of any, but they were transmitted through the Bishops. If there is a man marked out in our Church system as the man who ought to have the control of that thing, it is the Bishop.

Now, what does the Canon proposed do further? If there is no difference among the Bishops, if all agree that a certain mode is right or wrong, of course it stands. But if two Bishops disagree, a further provision is made. It is that you shall go to the House of Bishops. As was said, very properly, by the reverend gentleman from Pennsylvania, you do not go for a judicial decision. When the Ecumenical Council met together they did not go for adjudication. They went for consultation, and to consider, "Did we ever hear of such a doctrine before?" That was the question. "If we never heard of such a doctrine before, then it is false, and we will pronounce it false." They came together to give testimony. It was their testimony that was wanted, and it is because they testified together that you know it is so. They all came together and that that was what they had learned, that that was what had been delivered to them, and nothing else. Now, if two Bishops differ, the House of Bishops is to decide. You go, then, to those who ought to have the traditions of the usages of the Church, and when they have pronounced, that decision shall be final. I should be truly sorrowful if there was not great unanimity among them upon such a question, but when they have pronounced, they do not give you an adjudication which is to be followed up by an execution, not a judgment of pains and penalties, but they testify to the whole Church what is the truth which they have received, and we ought to take it.

But it is said that we do not know what these English Canons are, because there is a resolution to come afterward, providing for an examination of them. Sir, if the Canon reported had been conned over for months, it could not have come to us with more precision than it has come, and it is very remarkable that the gentlemen of this committee have been able to accomplish so much in so short a time and in so few words. I sometimes doubt whether they saw the full force and effect of everything they have put down, themselves, they have done it so completely. It is very often the case that a man thinks he is right in what he has written, but he does not fully know its truth until others come to criticise it and find that there is truth in it. Now, I come to the resolution reported by the committee without any favor, for I feared all the time what might be here, but the more I have read it the more I have become satisfied that they were most fortunate in the use of their language. Some gentlemen seem to imagine that this resolution is an acknowledgment of something hidden. Not at all. The resolution is:

"That a joint committee of three of each order

be appointed to examine the Canons of the Church of England, of 1603, and report to the next General Convention what portions were in use in the American Provinces in the year 1789, and how far the same have been modified by repeal or alteration," etc., "and whether any portion requires modification or repeal."

What does this indicate? I think it indicates a truth which should be borne in mind. As in all Churches rites and ceremonies have not always been alike, so in all the provinces of this large and extended country, rites and ceremonies were not always alike. You gather these gentlemen together and tell them to examine and report to us what was in use. Now remark the latitude that this gives, and the simple and the just latitude which it gives. Suppose that in New York there has been a rite, a ceremony, or a usage which could show Canonical authority, or suppose that in South Carolina, or Maryland, or Virginia, that usage did not exist. Now these gentlemen come together and they say that wherever there was a rite, a ceremony, or a usage in any part of the Church of the provinces in 1789, founded upon the Canons, so that it can be shown to be lawful, that shall be lawful in every other part of the Church. Is not that right? If some of us have preserved rights and ceremonies which others have neglected, still we say that when they are collected together and it is determined what has been rightly preserved according to the Canons of the Church in England, they being the limit, for we cannot go beyond them—if they can show any rite or ceremony that is justified by those Canons, then that may be permitted everywhere in this Church. This may let in some things which some people may object to, but these we must take because it is a perfectly reasonable and a legitimate rule, and it works fairly. We were connected with the Church of England. They did make Canons, and our forefathers for us, by their acts in adopting them in use, determined which of them were for our use and which were not. They made the judgment for us at that time, because they came here and had to act, and they did act, and are you now sorry for their action, or do you object to obeying their judgment? I say no. They knew practically at that time what was wanted, and it is wonderful how well they did select. They did make various selections in various parts of the provinces. I am perfectly content that whatever was lawful in any portion of the Church in the provinces under these Canons, may be lawful anywhere else, and it may be for the Bishop anywhere if he chooses to allow that to be done, leaving it to him. I would not have dioceses contend for usages in other dioceses against their Bishop. The provision is simply that these usages may be allowed; they are not compulsory: and it will be for the Bishop to say whether they shall or shall not be allowed, because it is exactly within the region of his domain. If not prescribed by the Church to him and to all he is free to take or free not to take, and he will give the law of peace by giving the law to his diocese. Now

can you have any system which will apparently work better than this?

Gentlemen, if what I have said has been rather new to some of you, I beg you to consider the thing carefully. Do not be driven off by talking about Canons that you do not know, and do not be driven off by any other talk. But if gentlemen will only realize what I have said, they will find that this proposed Canon is a law of peace. What are you declaring? "The provisions for ritual in this Church are" what are here prescribed. Remember how it begins. It begins, "This Church, holding fast its liberty in Christ its Head, recognizes no other law of ritual than such as it shall have itself accepted or provided, meaning thereby, in no wise to prejudice or arraign the differing rites, usages, customs, or laws of other branches of the Church of Christ." That is the liberty which you are asserting. I do not wish to reduce that, but I would ask some of my friends, gentlemen who are as zealous for the Church as any men in it, who, I believe, are desirous of serving their Lord, as anxious, and as laborious in His service as any others, whether they will subscribe to that declaration as made? That is our liberty. It cuts them off from all mediæval ceremonies, unless they belong to the Church of England. It cuts them off from that, because this asserts our liberty and independence, and it is necessary that it should assert it. I believe, as I said yesterday, that there is no catholicity in this idea of Catholicity. Those who think that whatever has been done in prior ages in the Church may now be done, are mistaken, if they cannot find warrant for what they do in the law of their own particular Church. How are they connected with the Church Catholic at all, but by their own particular Church? In no other wise is there any mode of connection. Does the Christian world recognize any other mode? None. He who belongs to no Church in Christendom does not belong properly to Christendom at all. Now, let us realize that. In your best efforts, in your highest aspirations, you are limited. You may think that those things which we have not got are better than what we have got, but you cannot use them. You must recognize what the Church has allowed you. If you are out of the Church, it may be different, but as long as you are in the Church you must obey that Church, for that is the Catholic law beyond all question. The idea of Catholicity which thrusts aside the Church in which you are, and seeks to unite yourself with something that you do not know where to find, is one which cannot be recognized for a moment.

If you will only disabuse your minds of that notion and really stand by your own Church you will get along very well. Do you say that this Church wants Catholicity of form? Does not the Prayer Book, does not your Constitution invite you as it were? When we made this Prayer Book we said that it might be amended. Come in and perfect it if you choose. How? By steady, sober, dignified, careful consideration; not by the wilful

act of any single man who thinks he sees a good, and moves to it as if it were. What is that principle of utility? Are we not circumscribed and hedged in by our religion to the way? What does Christ say himself? "I am the way." Now think of the significance of that. It is that I see the good beyond and hope for it. Every Christian man must walk in the narrow way; he must feel himself hedged on every side; he must know that there are bars that obstruct his path; and although I have lived in this Church a long time and may see a great deal that I would wish most anxiously to reform, still it is my Church and I conform to it; I submit to it.

Is an individual to set himself above the Church? Where would be the law of the Church's life if that were allowed? Does the Church come here as a teacher and as the keeper of Holy Writ? How can any man expect not to learn from that; and if he learns there must be a time when he is ignorant of that which she teaches; and as she teaches it he must take it; he must submit to it. That is the law of the Church life, and all of us must make up our minds to it.

Now suppose I should like to make some alterations in the Book of Common Prayer which I think might bring in the Jews. Somebody else may think that he can alter it so as to bring somebody else in; but I have as good a right to bring in the Jews as anybody else has to bring in the laboring class, or any other class. We all show our loyalty to the Church Catholic whenever we learn to submit to the law under which we find ourselves. We must stand by the Church which is accessible to us and receive what she teaches. There is no such thing as being a universal Christian, a member of the universal Church in general. You must be connected with some body of Christians in order to be connected with the universal Church.

Now, Mr. President, I have occupied as much time as I ought to do. I say that this resolution proposed, and the Canon reported go together. When you assert here that the provisions for ritual of this Church are declared, you are asserting that that is all, there is nothing else to tell you what there is, and when you have determined on the law of the Church in this way, you exclude everything else. That is what I agree to exactly. That will be the effect of this declaration, and, therefore, I think it is best and safest to put in the clause which I have commented on. When the Committee provided for shall have made their report, we shall then see exactly what is in the English Canons referred to. Gentlemen say they do not know what is in those Canons; but there is a mistake about that. They have been acting on them all the time, only they did not know what they were doing came from them. All that was necessary was that they should know it was the law, and that they did know.

The Rev. Dr. NORTON, of Virginia. Mr. President, I listened to the reading of the report of the Joint Committee with a feeling of disappointment which I am sure must have been shared by many members of this House, especially from the fact that

they appeared to have taken so little notice of that special subject which had been submitted to their consideration, the report of the five Bishops, and especially since we have learned from members of that Committee in their statements to this House that the report of the five Bishops, which, according to our record, was made the special subject of inquiry by this Joint Committee was scarcely mentioned in that committee. At the same time in deference to the wisdom and goodness of the members of that committee, I listened with great respect to their report, and sought to find good reasons for the course which they have pursued. I must say that after having listened with great attention to the debate yesterday—a debate characterized by such fairness, by such Christian temper—I felt satisfied that the case was not yet altogether hopeless; that although there might be some defects in the measure proposed, there was a spirit of what might be called elevated Church statesmanship in this body which would lead all our members not to act in the temper of factious opposition, but to unite all our efforts in healing those defects and finally in adopting a measure which would give security and peace to the whole Church. And the more I have listened to this admirable discussion, to the views developed by members from all parts of the Church and occupying the most varied standpoints, and hearing from each member who addressed us something which was both interesting and instructive, I felt that for once in the history of this Church we had attained to the high position to which the whole Church has prayed we might attain, and that we were prepared to take hold of this exciting subject and to deal with it safely.

But, sir, notwithstanding the very gratifying assurances which come from all parts, that if this Canon or something like it should be adopted there would be something more needed, there was an intimation from one quarter that after all there was no need of legislation in this respect; that there was no real evil existing in the Church which called for such a remedy as this; and we were challenged to point out those sources of information which had spoken on this subject. Why, sir, I thought that if there were any point about which the members of this House were in entire accord, it was the fact of the existence of some evil commonly called Ritualism, with which it was our duty gravely to deal; and I am sure that this general sentiment among us is a fair reflection of the opinions of the entire Church throughout this country. That there is an evil which exists and which is commonly known under this name, is the consenting testimony of every source of information which reaches us from every part of the country.

But, sir, we are told that the fathers of the Church have not lifted up their warning voice. My respected friend from Alabama (the Rev. Dr. Stringfellow), who spoke yesterday with so much good sense, and so much good humor as to interest and instruct us all, told us that, although anxiously looking for information in this regard for the past year, he had received none; he had heard no warning voice from the fathers of the Church. Have the fathers been silent? Years ago they may have fashioned but a blundering instrument to deal with this evil; but did not twenty-eight of them place upon record their conviction that the evil existed! And let me say, sir, that my friend from Alabama, in looking around during the past year for information coming from the fathers of the Church, has been singularly oblivious as to what was going on in his own diocese, and deaf to the voice which came

from the father of the Church in his diocese, strangely oblivious to the fact that this year, so late as the month of May the right reverend Bishop of Alabama followed up a previous address to his Convention, which had been aimed against Ritualism, using the very language of the Bishop himself, by another address to his Convention, in which he expressed his regret that the General Convention, at its last session, had not dealt with this subject, and in which he attempts, so far as his diocese is concerned, to remedy, for the time, the evil, by such directions as to public worship as might secure at least his diocese from those evils which were found elsewhere. It would seem that the Bishop of Alabama, so late as the month of May, 1871, did not feel by any means that the Bishops had this subject so fully in hand that there was no longer a need for it here. I find that, in his address of 1871, which he desires shall be considered in connection with his previous address of one or two years ago, he says:

“The one” (that is, the former) “was against Ritualism,” (whatever that may be), and against individualism of action in the matter of Ritualism; the present, in default of the action of the General Convention, which I had greatly desired, is an attempt to promote uniformity and decorum in the worship of that part of the Church over which God has called me to exercise jurisdiction. I would have greatly preferred that the House of Bishops should, with the concurrence of the House of Clerical and Lay Deputies, have taken this whole matter in hand, and with the comprehensiveness of grasp which has always characterized the action of our General Convention, have provided a minimum and maximum of Ritual, in order to have guarded against defect, and to have restrained excess.”

Thus speaks the thoughtful and learned Bishop of Alabama.

But, sir, gentlemen seem very much afraid that it is the desire of some to fashion a cast-iron system in regard to Ritual. Let me say, for one, and I am satisfied that I speak not only for myself and for my honored colleague who opened this discussion yesterday morning, but in the name of all who are anxious and are taking part in this movement, that if you will secure the doctrine which has come down from the Primitive and Apostolic Church, we are anxious for liberty in all non-essential matters of Ritual, that every want may be met, every taste gratified; that our Church may have that elasticity which seems on every side to be admitted to be one of the wants of our Church. Give us safety for doctrine, and if I understand it aright, there is nothing proposed in this movement but security in doctrine, and then let us have liberty.

Now, sir, if we examine carefully that very remarkable and well-fashioned document which was sent down to us by the Committee of five Bishops, we find it to have been their especial aim to secure the Primitive and Apostolic doctrine of the Holy Eucharist from those corruptions and falsities which crept over that doctrine in the Middle Ages, and from which it was sought at the Reformation to set that doctrine free. It is a matter of notoriety, and it is a fact which ought not to be lost sight of when gentlemen would persuade us that these are all questions about little things, as to where a man shall stand in his chancel and the like. I say there is not a well-informed Churchman here this morning who does not know in his heart that on Sunday last in many churches, if the practice was not different from what it had been for several years

before, ministers using the very words of the Prayer Book did yet by significant pauses, by changes of voice, by bowings and crossings and genuflections and reverences, practically bring before the minds of the assembled congregation that old and monstrous heresy as to the Holy Eucharist, rather than admit which the English martyrs gave their bodies to be burned.

Mr. President, there is no member of this House who is more anxious for peace, who is less inclined to stickle about immaterial points, who is more anxious that we should have a generous and ample liberty for the gratification of various tastes than the humble member who now addresses you; but let me say that although we may pass by this subject, although we may so treat it as to leave this great perversion of the Holy Eucharist untouched, there can never be peace in this Church until there shall be purity of doctrine and perversion of that doctrine in practice before the eyes of the people in this Church. And while the members of that especial school in the Church of which I am, perhaps, a most unworthy representative, yield to none in a spirit of submission to all the laws of the Church, in honor for the institution of the Church, and are determined to stand by the Church and never to leave her, yet, let me tell gentlemen, and I am sure that now I speak not only for that portion of the Church to which I belong, but for the sound-hearted Churchman of Connecticut and of New York, all of us who hold on the standard of the faith will never rest and never be satisfied so long as these monstrous perversions of the faith upon this great article of the faith are allowed to remain. We will abide by the law; we will let speech be free; we will submit so long as it is possible to submit in quiet; but we will never remain quiet when in the highest and most solemn act of public adoration, when we kneel at the chancel to receive the emblems of our Lord's broken body and shed blood, we find our holy mother, the Church, stripped of that simple beauty which adorns her and decked out with the trumpery of Rome.

But, sir, I feel that when so many better qualified are anxious to speak on this subject, I should not detain this body, and therefore I shall only very briefly notice two points. One is, that I feel that those who listened attentively to the debate yesterday must now be satisfied that the position of the eloquent gentleman from Wisconsin, with regard to these English canons, so far as they are presented as an effectual instrument for dealing with this evil of the times, was a sound position. In the presence of so many able lawyers, and in the face of that very able argument to which we have listened this morning, I would not presume to offer an opinion on that subject. My impressions were very decided before this debate began, and I have seen no reason to change those impressions; but I am satisfied that I have no right to speak here on a question of that kind. It is manifest, however, as the gentleman from Wisconsin said, that from the uncertainty of this instrument, from the labor and difficulty of bringing it into action, it is not that precise remedy for which the Church calls now, and which it is expected that we shall prepare and adopt.

I sympathized fully with the views of the gentleman from Wisconsin when he said, "If we are to have law on these subjects, let us have it accurate, let us have it clearly written, so that he who runs may read;" and, therefore, although I would not presume to make the motion myself, and have no right to take such a position, I, for one, should be glad if, in some quiet way, this question about the

binding authority of those English Canons could be left on this occasion in the rear, and that so much of the original proposition of the five Bishops as was intended to protect the Holy Eucharist against invasion, could, in some way, be brought before us.

The only other point to which I shall refer is in regard to the final resolution which treats of the mode of seeking relief, and aims to find a remedy. I feel the same difficulty with regard to that which was so well expressed by my friend from Alabama. I sympathize fully with him in every word he uttered on that subject. I, therefore, trust that the learned lawyers in this body who are so well competent for the work will seek, by an amendment of the last provision, to express a clear recognition of the paternal authority of our Bishops, but, at the same time, to leave securely in his rightful place the priest of the Church, so that no power, so long as he abides by the laws of the Church, can terrify or make him afraid.

Mr. ANDREWS, of Ohio. Mr. President and gentlemen, nothing in this world would induce me to appear before you this morning in this debate but a sense of duty.

It will be noticed in looking at the report of the Joint Committee that it divides itself into three parts. The first part is exclusive; the second part is declaratory; the third part is enacting.

In regard to the first part which declares that this Church is an independent Church, I understand we are all of one mind, that there is no difference of opinion among us. I lay that therefore aside.

We come to the second point; the declaratory part of the report. I understand that the first sub-division of that we are unanimous upon, that there is no dissent. When we come to the second sub-division, there we have had our debate, and there in a kindly spirit our differences have been compared. I have a word to say upon this second sub-division.

I do not understand, with some of the gentlemen who have preceded me, that the effect of the Canon law of England is involved in this discussion. I do not understand that that old question as to what portion of the Canon law came in under the new organization of our government, analogous to the question which we have in our civil courts as to what portion of the common law came in, is involved in this discussion at all. We understand perfectly well that in the civil law of the country, a large portion of the common law is in force in this country, and that it is in force without any enactment whatever. Why, gentlemen, the State in which I live was not in existence when the Declaration of Independence was made and the Constitution of the United States framed, and yet we have the common law, and the title of my house rests on the common law.

But that is not the question. If it were, it is a grave question, and I am not prepared to say what my vote would be upon it. We have high authority on both sides. We have Judge Hoffman, Dr. Francis Vinton, and Dr. Hawks on the one hand, and we have my friend from Pennsylvania (the Rev. Dr. Goodwin), who, with me, would be as high an authority as either of them, on the other.

But that question is not here, and now I will proceed to show you how I view this matter. Under the second head of this report it will be noticed that the only thing we deal with, and in fact the only thing we deal with in the whole report, is the Ritual of the

Church. I want gentlemen to notice that fact. While we talk about these Canons, we are dealing with nothing but Ritual.

In the second place, when we come to point out the sources of Ritualism, the provisions for Ritualism, we reckon among them the Canons in use in this Church in 1789. It is printed in the reported Canon "*before 1789*," but it will be noticed in the resolution appended that "*in*" is used, and it is an oversight that the word "*in*" was not put in the Canon. It is the same thing, but the language would have been more accurate to have said, "*the Canons in use in 1789*."

Now, gentlemen, it is the "*use*" and nothing but the use with which we deal. Take, for instance, an example. In 1790 where did we get the authority for a pulpit in the American Church? We have it now by the usage of this Church. Usage for nearly a hundred years has given it to us. But on what would we have relied in 1790 for the right of keeping and retaining a pulpit against a rector who chose to throw it out of the window? Has any gentleman thought of that? On nothing in the world but *use* based on Canon, because in the English Church, when defying Romanism, those men who took their lives in their hands, declared that there should be a pulpit in the Church where the Gospel of Jesus Christ was to be preached. I mention that merely as an illustration.

Now let me call your attention to another point. We are dealing with Ritual; and we are dealing with use, a fact. There was a continuation or continuity which the gentleman from Pennsylvania refers to, the Church of England as here existing, becoming the Church of the United States, and necessarily with use. The Church could not have lived a day without it, for they had no adequate legislation. Now the third point is, Ritual, first based on use, and then instead of being *authorized* by Canon, *limited* by Canon, as I will show, for this is the language: "*Canons in use in 1789*." What does that mean? It means a use that *originated in written law* and was limited to that precisely and exactly. Instead of a general usage, a traditional usage, usage in the large sense of the term, it is a use in the matter of Ritual in the year 1789, which can be traced back to, and originated in, and is thoroughly defined by, a written law. That is a limitation, instead of an enabling term. That is the point, and I wish to call the attention of my brethren of the bar to it as well as the attention of other members of this House. You do not refer to English Canon law as a foundation for the law of this Church, but you say that this Church in declaring what use is in force in Ritual in this Church, as one of the elements, will look at the use that passed into the national Church in 1789, and which was so solemn a use, and so serious and well-guarded a use, that it could be traced right back to its origin in written law. Is not that a safeguard?

Gentlemen, let not your prejudices in regard to bringing in here British Canons mislead you. I assure you that this is a limitation of wonderful efficacy, in protecting you against the caprices of all sorts of usages. It is usage that was serious enough and solemn enough in the first place to become law, and then was recognized by our own Church as use; and I say there can be no danger growing out of as well guarded a use as that.

Again, you will notice another provision under this second clause:

"And not subsequently superseded, altered or repealed, by legislation, General or Diocesan, of this Church."

Then, gentlemen, you will notice in the third subdivision, this language:

"The Canonical or other regular legislative or judicial action or decisions of this Church, in its Conventions, General or Diocesan, or by its duly constituted authorities."

I wish to call attention particularly to this provision, which has not been alluded to, and which to my mind strips this thing of a great deal of objection, that has been made to it. I allude again to the language of the third sub-division:

"The Canonical or other regular legislative or judicial action or decisions of this Church, in its Conventions, General or Diocesan, or by its duly constituted authorities."

I call attention to this language. Use, use only in regard to Ritual, use that originated in a well-defined written law, and became law here because it was use. What else? It is subject to the adjudications not only of your judicial tribunals, not only of your legislature, but to the decisions of your constituted authorities; and the House of Bishops in this very case, acting upon this very question, under this proposed Canon, if they found that one of these usages was in existence in 1789, but is now obsolete, would declare that it is not now the law of this Church. They would, under this proposed Canon, be one of the "*constituted authorities*" for the very purpose of declaring that it is not the law of this Church, if it is not law. That would be a question depending on evidence, which they would look into. It is not every use in the year 1789, that is law now. The pulpit then rested on use under an English Canon. It rests on usage now in the American Church, and it has become a part of the law of the land. I want to call the attention of gentlemen particularly to this fact, because if you look at these four provisions in that light, you find that this bugbear is reduced to a minimum, and you have nothing left to quarrel about practically, however much you may differ theoretically, in reference to the origin of the law of this Church.

I say then, gentlemen, that we are dealing with Ritual; that we say that one element in determining what Ritual is, is use in 1789; but we will not permit any use to have any weight with us, that did not originate solemnly in written law, and every use is subject to your legislatures, both Diocesan and General, to your adjudications in courts, and to the decisions of your constituted authorities; and under this very Canon every such use will be scrutinized by the Bishops or the House of Bishops in giving their determinations.

Now, gentlemen, I say that this matter is reduced to a minimum, so far as any danger could possibly grow out of it. Take the case which my friend from Pennsylvania referred to, bowing at the name of Jesus, bowing in the Creed, as a use. I am informed by one of the oldest Bishops of this Church, that that was not a general use in the American Church in 1789. So little was that the case, that Bishop White himself published a pamphlet against bowing in the Creed, at the name of Jesus. I am told so; and I wish, by the way, while I think of it, to say that as I understand it, use in the American Church, means general use in the American Church, and not local use. That is always the meaning in which lawyers use the term. It is general use in the American Church, that is referred to, as it would be to-day, and not local; but I understand, that bowing at the name of Jesus, in the recital of the Creed, was not a general use in the American Church in 1789; and that it actually has

increased largely in the American Church since that date.

I have looked into these Canons with that view, and I have consulted eminent men with that view, and I say to you, gentlemen, that the only thing I find that could be considered a novelty, as coming in, in the form of Ritual, under this term "use," under the proposed Canon, unless it may be the cut of the surplice of the clergy, is the black cap, which is referred to by the report of the five Bishops, and which Bishop Chase, as you well recollect, was in the habit of wearing, a canonical garment provided for by one of the Canons of the British Church, and in use in 1789. If there is any other novelty, embraced in the Canons, in use in 1789, referred to, I can only say that after most careful inquiry, I have not been able to find it.

I merely allude to this, because if the proposed action does not involve, as I think it does not, the necessity of determining how our Canon law stands, related to that of the English Church, any possible evil growing out of the term "use" is reduced absolutely to a minimum, and is not appreciable in the judgment we should make as practical men.

Now let me call your attention to one or two other features of this report. My friend from Virginia (Judge Sheffey) will notice that the matter in which he feels a very deep interest, the independence of the dioceses, is not touched. They stand just as they have always stood, and just as I trust they will always stand in this Church. And in order that every possibility of injury to this great Church that we love should be avoided, as far as men can avoid it in a measure of this sort, the resolution appended to the proposed Canon was framed, that an inquiry should be had as to these uses, and that this Church should know in three years precisely and exactly what that term "use" means, so far as they are concerned, and deal with it as you will be amply competent to deal with it at that time, if it be necessary. Gentlemen, have you not safeguards enough in regard to this matter? Can any trouble grow out of it?

Now, let me say one thing more. We are practical men, as I have said. This term "use" has no evil in it when you come to analyze it and get to the bottom of the matter. There is no danger in it. It is not English law imported here by the bushel, without anybody understanding it; it is a *fact* like any other fact. And let me say one other thing; and it is best to be frank on this subject. If you adopt this Canon every single particle of Romish error which any man living attempts to bring into this Church by Ritual, must absolutely, sooner or later, be exterminated. Is not that worth having, gentlemen? Are phrases and words to lead us off from an issue that bears upon a future like this? And it is done, too, without going into details and bringing tape and a yard stick into this Convention to measure; which, for one, I do not like to do. We lay down landmarks, just as the old Church always has; and I tell you, gentlemen, if you fix these landmarks, no man living can break them down. That is worth something. There is substance there; and I do trust that we shall not lose sight of that fact.

Now, all I have to say in regard to the suggestions as to the second sub-division of the declaratory part of this proposed Canon is, that for myself personally, whether that second clause be left in this enactment or stricken out is a matter of the smallest possible moment. I say that practically, whether it is left in or out, is all the same thing; but what I am afraid of is, that if

you bring the difference of opinion of eminent men as to the Canon law of England, and the extent to which it is in force into this debate, and they become arrayed on the one side and on the other, it will be fatal to the whole measure. I am frank about it. That is just what I am afraid of and nothing else, because I know it is a question on which eminent men differ, and men are very slow to give up their convictions as to principles which they deem fundamental. I am happy to believe, and I do believe, that it is unnecessary to decide that question in this case.

Gentlemen, I am very sorry to detain you any longer, but there are one or two points that I feel bound to speak upon. ("Go on!" "Go on.") I pass from this first branch of the case, and I come to the question of the action of the Bishops, and I wish to state very briefly how the Committee viewed that. I say to you that we viewed it not as litigation, but as godly counsel. We tried to avoid litigation. If there is anything in the Church I hate, it is litigation. If there is anything in this Church that I have not one single particle of confidence in, it is an ecclesiastical trial. Avoid it, gentlemen. I know at times it must come, but avoid it when you can. We wanted no trial of this question of Ritual, and we do not want any. We do not want lawyers to go before a tribunal to argue a question of Ritual. God forbid! And we, therefore, said that on this question of Ritual, as that is all it is, let the man go to his Bishop. And is a man to tell me that he is very much injured if he cannot have his way in Ritual? I should like to know what particular personal interest he has in Ritual. I thought that was a question for the great Church of God. I did not suppose it a question for an individual man who would like some particular style of dress, or would like to take a particular attitude, or would like to invent a new posture; or would like to put candles on his altar, or any of these things—I did not suppose that it was a matter of personal interest to him. I thought it was a matter for the Church of God, and I think so still. We said, let the Bishop decide that question, but let him decide it carefully, and let him know that if another Bishop differs with him as to his decision, his decision will be overhauled; it will go up to the House of Bishops, and he will act with great caution. If the decision is not contradicted, then the presumption is, fifty Bishops all agreeing, it is right; they need not take it up to the House of Bishops, but if two Bishops differ, then under the rules and regulations that they shall prescribe, the House of Bishops will bring it before them, and without noise, quietly, settle it, and who is injured? One thing I am certain of, the Church of God must be very much benefited by this mode of dealing with such a question as compared with an ecclesiastical trial.

Now, Mr. President and gentlemen, the question has been asked, what is the use of dealing with this matter of Symbolism and Ritual at all? I am inclined to believe, myself, that the public sentiment of the Church has a great deal to do in giving direction to a question of this sort, but still I think if Ritualism can be regulated by a principle of law that is adequate without going into details, it is better. Look at it. You do not permit me, as a layman, to indulge in Ritualism in my worship. I take my boy out in the morning, and show him the morning star. You do not permit me to use that for him and myself in our morning devotions. You tell me I must not do it; I must not worship the Great Creator through the morning star, although He made it and has condescended to call it His symbol, and He

who is the root and offspring of David, has said that He is the bright morning star.

You will not let me make use of the sun to aid my devotions and the devotions of my family in approaching the God who has called Himself Light, and the Father of Lights, the Sun of Righteousness. You will not let me do it, although He made the sun. I might do it, perhaps, with some benefit to myself, but you will not let me do it. Why not? Simply because you tell me that from the constitution of the human mind, it is a dangerous thing as a principle of worship, full of danger, and you tell me that races and generations of men who attempted to worship the God of the Universe through His works in that way have passed from the face of the earth, and their memorials have perished with them. You tell me that they were led by it into superstition and idolatry, and it will not do.

And when I come down from the hosts of heaven to this earth, it is all symbol about me everywhere; everything is symbol. The mountains, the rivers, the ocean, life in all its multiplied forms, all are symbols. Home is a symbol, a great symbol; the type of everlasting rest and peace; but you will not let me bring home into my worship. You will not let me worship through any of these symbols, nor mingle them with my devotions. You tell me I must not do it, and why? Because it is a dangerous thing, and it will not do.

Now, gentlemen, if that is so, if I cannot make use of the most glorious of all the works of the Creator, in this manner, by mingling them with my acts of adoration to Him, how is it when you come down to the works of man—that is the point—and attempt to mingle them with worship? Shall they not be regulated by law? My friend, a good man, says to me, “I should like to place candles on my altar; they help me in my devotions; they arouse my faith in Him who is the Light of the world; I see no objection to it, and I do not know why it should disturb you.” I go into the house of my neighbor, and I find a dying man with a lighted candle in his hand, to light his steps as he goes out into the darkness; and I have known that very thing. Suppose I try that experiment, and when my little boy on his death bed says, “Father, where is the Saviour you told me about? where is He now?” will this Church permit me to put a lighted candle in his trembling hand and tell him, that that is the teaching of this Church of God to one of its dying children who asks the way to the Saviour? No, gentlemen, you will not permit that, and why? I put it to you, why? Because you tell me, as I said before, that from the constitution of the human mind, and from the light of all history, such things lead to evil, to superstition, to idolatry, to death, and you will not permit it.

Gentlemen, you must regulate Ritual by law in some way, and the beauty of this arrangement that we recommend, as I think, is, that it is regulated by a principle that settles it forever without the necessity of going into details.

Mr. President, I have a great love for this Church. The Protestant Episcopal Church is an affirmative Church; it is not a negation. The complaint on the continent of Europe is that Protestantism is a negation, and that if a man leaves the Church of Rome, therefore, he enters upon a negative life, so far as religion is concerned. The beauty of the Protestant Episcopal Church is, that it is an affirmative, positive Church; pre-eminently and absolutely in its character and nature and constitution, affirmative and positive;

and I love it and honor it especially for this fact. I come to this Church with my petitions or suggestions whenever any grievance requires me to come, but I make no categorical demands of her. I have no menaces to utter in the ear of this mother of us all. I remember, when I present my requests to her, that her times and seasons are centuries and generations of men, and I come and bow respectfully before her, and present her my petition, and ask her, in her own way and in her own method to grant my request; and I take it for granted and believe, that if, in her wisdom, on full examination, she refuses so to do, she does it just as her Master refuses my petitions to Him often, by sending something better than I ask. That is the temper in which I think this Church should be approached. I believe in presenting everything to her consideration that we think will promote her strength and usefulness, but that is the temper in which it should be done; that is the temper in which we should deal with each other. If a man comes here with a menace in his hand, and demands something of this Church on the penalty that if he cannot have it, he will leave it; he had better go. (Manifestations of applause.)

Now, gentlemen, I have a word more to say in closing. I wish the harsh language and epithets which lead to alienation might not live in this Church in reference to our neighbors, in reference to sister Churches that are doing just as much work for Christ as we are, and the members of which we love and honor and respect. I wish that our relations toward them might be of the most fraternal character. I believe them to be just as I understand history from the time of the Reformation in our Church has recognized them to be, a part of the true Church of the living God; and I call them brethren, and their Churches sister Churches in the full acceptance of the meaning of the terms. I believe that for regularity, order, standards and history, we represent nearer the true type of the Christian Church than they do; but they are a part of that mystical body, in which we are very members incorporate, and which is the blessed company of all faithful people recognized, and for which we thank God in our Communion Office; and I wish that this temper and this spirit, on the part of this Church, might be shown toward them. Gentlemen, you can do nothing but strengthen your hands by this course. If you could remove this barrier and take them by the hand in this spirit, it would quadruple your numbers; it would increase your strength a hundred fold.

In regard to the world around us, outside of all true religious faith, and all church organization, materialism in all its forms of indifferentism, scepticism, and unblushing infidelity, I would have this Church set its face like flint against all these influences, and I would have them show, not only by the individual lives of men, but by the whole spirit and tone and temper of this Church, that we will resist iniquity, especially in high places, with all our might, and that we will tell our sons not only in language, but in life, that purity of character, holiness of life, and knowledge of God are worth more to them than all the offices and gold mines, and railroads that they can buy, or steal, or beg in a lifetime.

Gentlemen, I feel that this is a very solemn occasion. I am impressed with the great solemnity of this meeting. I am impressed when I look about me, with the thought of the brevity of human life, and how the generations of men chase one another like the waves of the sea. A large number, probably more than one half the members of this Convention, have passed

the meridian and are now upon the down hill of life. The shadows, gentlemen, are lengthening. But it seems to me that the autumn is the best season of all the year, and that God reserves for the man who loves Him the good wine until the last. So, gentlemen, when we reach the end of life, and our eyes close for the last time upon this beautiful world, and the lights upon all these earthly altars have gone out, we believe that life in its truest sense will then begin, and that we shall be permitted to offer up to Him who hath brought us in safety to the beginning of another day, our morning sacrifice of praise and thanksgiving.

Gentlemen, let us be true to this Church of our fathers, and let us see to it, as far as in us lies, that she presents the best realization in this world of the union of true progress with a wise conservatism.

Mr. FOGG, of Tennessee. Mr. President, and gentlemen of the Convention, if I could agree with the gentlemen who have preceded me in their construction of this Canon, I would allow this question to pass without saying a word; but, as I believe, it will not make the law of the Church more clear and distinct than it now is; as I believe, it will not tend to a reconciliation of the different opinions that have been expressed on this floor.

If I vote for the principle laid down in the second provision of the second section of this Canon about the Canons of the Church of England that were in force and use in this country in 1789, I shall vote for that which I do not understand; I shall vote for certain rules and regulations in regard to Ritualism, perhaps that I have never been taught; I shall vote for certain principles with which I never was indoctrinated. I know not what were the "Canons of the Church of England in use in the American provinces before the year 1789, and not subsequently superseded, altered, or repealed by legislation, general or diocesan, of this Church." I know not where to look to find the usages that existed at the time, and what Canons were introduced previous to 1789.

When we look at the condition of this Church before the Revolution, in colonial times, do we not know that it was exclusively under the provincial government of the Bishop of London? Do we not know that the Canons of the Church of England of 1863 are peculiarly and specially devoted to the declaration of certain principles and certain laws that affected, locally, England, the King, Lords, and Commons, and that they were not extended, in any way by the Bishop of London or by use in this country as far as we have any means of information, to any portion of the American people? Where can we find the adoption of these rules and regulations in the American provinces? Can we look to New England? They had Episcopal Churches in New England. Many of the New England clergy were ordained in England previous to our Revolution. A few of them survived within my own recollection. I have had frequent conversations with two of them in the course of my life upon the subject of what they considered to be the rules and regulations by which they were guided.

I know not where to look for the Canons that were adopted in this country prior to 1789. I know not where to find the Canons of 1603. I know no such rules. I know that the Canon law of

England is considered as binding only upon the clergy. I know that it has been so decided in the courts of justice. To be sure it is binding upon the Church if it is adopted; but any one who knows the decisions of the ecclesiastical courts within the last forty or fifty years, beginning with the decisions of Sir William Scott, who was one of the ablest ecclesiastical lawyers as well as one of the best Admiralty lawyers in England, knows full well that in pronouncing upon Canons he has said over and over again that the whole system was in such a condition that it was difficult to find whether a Canon was in force or in use and whether it had been used in conformity with the law of the Church. That has been repeated by Judge Phillimore who succeeded him. They scarcely know how to find those Canons that are obligatory upon the Church of England at the present day. In the year 1689, after William III came to the throne, when there was great confusion, as you know, in all subjects of religious opinion, the Convocation of England appointed a Commission to report what Canons were in force and use, but that report never was acted upon and never has been to this day on account of the great difficulties which existed in regard to the establishment of the Canons. Where they were enacted by Parliament, you can find them; but where they were enacted by Convocation, many of them were lost, many of them were never used. You can find those establishing general principles in regard to the powers of the King and the Bishops and the Archdeacons and other officers in the Church, but most of them were wholly inapplicable to the condition and circumstances of the Church in this country.

Therefore when we are asked to declare on the subject of Ritualism that there were rules and regulations introduced into the Church of America in colonial times, derived from the Canons of England, I should say that it is difficult to find them, and I cannot, therefore, vote for it, unless I can be instructed, unless I can have time for reflection upon the subject of those Canons, and know what they are.

I would willingly, for the purpose of conciliation, if it would have that effect, vote for almost anything. I know there is great difference of opinion among the best members of the Church on certain subjects, but I believe those difficulties never can be settled by legislation. I believe that what is here proposed, is the law of the Church now if we could find out what those Canons were which were used in the Church in 1789; and as my friend from New York (the Rev. Dr. Haight) said yesterday, whether these Canons pass or not, whether they are enacted by this House and the House of Bishops or not, the law is precisely the same.

That being the case, how can you legislate for the purpose of setting up or defending a certain set of opinions and feelings and æsthetical emotions? How can you legislate so as to satisfy anybody after your legislation has been had? If I have no taste for painting, if I have no eye for beauty, no power of admiring the beauties of Raphael or Correggio, shall I do any act whatever, to deprive my friend who has an æsthetic nature, who is capable of enjoying all those beauties of art, of the means

of that enjoyment? If I have no ear for music, if I cannot tell the harsh grating of the hinges of the lower regions from the most delightful and beautiful music of Apollo, shall I deprive my friend who has an exquisite taste for music, from enjoying that taste?

There are some subjects that should not be submitted to legislation. There are some subjects that legislation cannot reach. You can no more reach by legislation the feelings of mankind in regard to certain great doctrines of our Church, than you can by sumptuary laws, as has been tried over and over again, regulate what a man shall have for dinner or what kind of clothes he shall wear. It is not in the province of legislation, it is not in the power of the House of Bishops and this House together, to lay down any rule that shall be uniformly consistent, and that shall be a rule of uniformity, in the very nature of things.

At the last session of this General Convention, of which I had the honor to be a member, in 1868, in New York, there was a very prominent man from Baltimore, now no more, a learned man, a man whom everybody respected and admired, a man who had read as much of the early history of the Church, and the laws of the Church, as any other person in the country, and he devoted himself together with the learned Dr. Haight and other members of the Committee on Canons, to try to find out some way by which they could adopt a Canon that would satisfy the feelings of both parties; in other words, to adopt a Canon that would exclude everything that ought to be excluded, and include everything that ought to be included; and they found it a hopeless task; it was utterly impossible to do it.

Sir, what was the condition of the Church in this country before the year 1789? There is no one here to whom I can address myself, who knows much about it. It is a long time ago. We know it only from tradition. I have heard something of the condition of the country then. Considering the condition of the congregations generally, with the exception perhaps, of those in the cities, what was the necessity of introducing among them a law of ritual? Where were the fine churches, the large congregations, the cultivated musical tastes, or the cultivated taste for painting or poetry there to be addressed? They were mostly in a very small compass. They met in small log-houses in the South; I know they did in North Carolina, for I have heard of them frequently. In South Carolina they may have had legislation on the subject; in Virginia they had some legislation in regard to the Church; in New York they had some; but as regarded the rest of the country, what were they to legislate about? Were there any congregations there? Was there any meeting of clergy there for the purpose of establishing churches until long afterwards?

You know very well that the churches in this country were established by individuals, by the clergy and by certain learned men of the laity and they met together voluntarily, and they induced Bishop Seabury to go to England for the purpose of being ordained and consecrated as Bishop.

We derive our feelings and our opinions from the Church of England, and we owe much to the

Church of England. But when you speak of the Book of Common Prayer and the Rubrics there, when was the Book of Common Prayer adopted in England? Was it adopted in 1603? Was it adopted until the very latter part of that century in the time of Charles II. at the Restoration? It was then that they enacted the Book of Common Prayer by an Act of Parliament, as being the Book of Common Prayer for the Church of England, and these Rubrics, most of them, were enacted as parts of the law of Parliament, and they have remained as the law of England and the law of their Church until this day. But you must recollect the vast difference between our Church that is founded upon Scripture, founded upon custom, founded on use derived from the law of England, and the constitution of things in England. You must see the vast difference that exists between the state of things here and the state of things there. There the Church was established and was part of the State. They were incorporated together. There every rule of action of the Church which was legalized by Parliament, could be carried into effect by an Act of Parliament and would be enforced, if it was to be enforced at all, by act of Parliament and by the courts of justice. But here we depend upon individual and social and corporate (if I may use the expression) duties, and devotion, our kindness and affection and love for each other; a toleration for opinions, for acts, and for rites and ceremonies, although we may not agree with them in every particular.

If that Christian love, that Christian charity, those high and elevated principles can be impressed upon the minds of the individuals of this Church, it will be found that no legislation is necessary, and that, so far from depending on the Canons of the Church of England, introduced here prior to 1789, we must depend upon ourselves; we must depend upon our Bishops; we must depend upon our devotion to the Church; we must depend upon toleration for different feelings and different principles and different individuals, if they agree upon one common standard and that one standard is the precepts that have been delivered to us by our Lord and Saviour Jesus Christ. If we will observe His precepts and His practice, if we will perform moral duties and religious duties with kindness and love from man to man, these little differences that exist, it appears to me, can be smoothed away by our own toleration of things that are in themselves unimportant, or by the House of Bishops, or by the individual Bishops we can reach that end.

It appears to me that when we are required to legislate upon questions of this kind, we ought to be certain that we are legislating about matters that we perfectly understood, and when we are asked to legislate in regard to the subject of ritualism, or rites, or ceremonies, or whatever else that were prescribed by the Canons in England in 1603 and were introduced into the Colonial Church before 1789, we ought to have some means of ascertaining what those Canons were, what they provided, and to know that we are legislating upon something that we were certain can be carried into effect.

In regard to the provision leaving to the Bishops the determination of the question as to the proper

observance of the public worship of the Church, is not that the law now? Must we not depend upon the Bishop in each diocese for the enforcement on his clergy of the law of the Church and what he thinks ought to be the Ritual observances of the Church as prescribed in the Book of Common Prayer and the principles to be derived from that? It seems to me that there and there only we have to depend for assistance and for support, and for the regulation of our mode of proceeding in our worship in each diocese. They can regulate this matter. They know that a recent declaration that came from them, was held up as the olive branch of peace to divided opinions in this Church. They can form rules and regulations among themselves by which they may say they will not exceed certain bounds, and they will not allow certain practices to be tolerated in this Church. They are competent to do it. They can in each case decide. They are more competent for the work than anybody else. The duty is entrusted to them; the responsibility rests upon them; and they are those who are looked to by all of us in the Church for the purpose of establishing such rules, such rites and such ceremonies, as ought to be generally observed.

I am no High Churchman, I am no Low Churchman. I was not brought up with any such idea. I heard nothing of High and Low Church in the part of the country to which I moved until about thirty years ago, about the year 1841, about the time they had the trouble in England, and the publication of the tracts at that time, and they caused a great deal of excitement in the city of New York in the year 1843, I think. That was the first time in our portion of the country, that we ever heard of High or Low Church. It is rather a modern thing among us. I know what is High Church and Low Church in the Church of England. There are differences of taste, differences of feeling, differences in manner, differences in refinement, but you must tolerate each other, and you must be willing that other persons shall have the gratification of those tastes and of those feelings that you yourselves do not possess.

Mr. President, I repeat that I think no legislation whatever is necessary on this subject. I will not detain the House longer.

The Rev. Dr. DEKOVEN, of Wisconsin. Mr. President, and gentlemen of the Convention: I desire, first of all, to say something with regard to the second section of this Canon—a section which provides that we shall be governed by the Canons in use before or in the year 1789. I object to it, first of all, on principle, because it does, after all, settle in some sort, this grave constitutional question about which there is such difference of opinion. I, for my part, fully agree with what the Reverend deputy from New York [the Rev. Dr. Haight] stated yesterday, that the laws of the Church of England are in some sort binding upon us. The opposite view was stated by the reverend delegate from Pennsylvania [Dr. Goodwin], and I must say one word with regard to what he said.

He was very inaccurate with regard to his facts. He stated that in the Convention of 1789 the House

of Clerical and Lay Delegates made such a declaration, but he omitted to state that the House of Bishops dissented from that declaration. He also omitted to state that Bishop White, as will be found in his Memoirs, declared that if such a view had been prevalent at the time of the Revolution it would have torn the Church to pieces.

The deputy from Pennsylvania also brought forward, and very curiously, the Canon of the Church of England that related to marriage within the prohibited degrees, and gave it as an instance that the laws of the Church of England were not binding upon us; but he omitted to state that in the Convention of 1808 the House of Bishops put forward this declaration:

“Agreeably to the sentiment entertained by them in relation to the whole ecclesiastical system, they consider that table,”—that is to say the table of affinities—“as now obligatory on this Church, and as what will remain so unless there should hereafter appear cause to alter it without departing from the Word of God, or endangering the peace and good order of the Church.”

But it is not material to my argument to enter into question as to which is right of these two differing opinions. If this Canon is adopted, it will seem and be considered by people as in some sort settling the question in favor of the view adopted by the Reverend delegate from Pennsylvania, because every one who has examined the Canons of 1603 will know that there are various Canons on Ritual; some that unquestionably were not in use before the year 1789, some that were in use, and a great many about which it is doubtful whether they were in use or not. Now, this Canon singles out some of these Canons on Ritual and says they shall be the law, and people will surely gather the idea that the rest are not law, and if the rest are not law, then they will gather the further opinion that no Canons excepting those that have been expressly asserted to be law are law. The first point, therefore, which I wish to make is, that this Canon, if adopted, will seem to settle a grave constitutional question in a very improper way.

The second point is with regard to another thing in that section. It says “Canons in use.” The delegate from Ohio [Mr. Andrews] said that was an easy matter to be understood; and yet it will be noticed that the delegate from South Carolina [Mr. McCrady] and the delegate from Ohio differed utterly and entirely as to what was meant by “Canons in use.” The delegate from South Carolina said that any Canon that was anywhere in use before the year 1789 was a “Canon in use.” The delegate from Ohio declared that it must be a Canon in general use. That difference of opinion between two gentlemen who were learnedly speaking in favor of this Canon is a conclusive argument that the thing is utterly and totally uncertain.

But, Mr. President, I do not wonder that the gentleman from Ohio wanted to get into this House the idea that there was meant “Canons in general use in the Church,” because if that view were adopt-

ed I am free to say there is not a single Canon of 1603 that will bind this Church—not one. The Canon on surplices will not bind this Church. Does not everybody know that the surplice was not in general use before the year 1789? Why, sir, out in Wisconsin, living in my own neighborhood, is an aged clergyman, formerly of the Diocese of New York, who distinctly remembers the time when under Bishop Hobart's jurisdiction, after many perturbations of mind he determined—in the Diocese of New York you understand—in his town to adopt the use of the surplice, and he wrote to his Bishop about it, and Bishop Hobart wrote back to him to be very careful how he introduced it.

Everybody knows that the surplice was not in general use; and therefore if this thing prevails, the Canons are of no account whatsoever, excepting in one particular, and that is the particular to which the gentleman from Ohio alluded. He alluded to the cap which was worn in this country. The Canon to which he referred is Canon 74, and let me say that that Canon of all others of 1603, is of remarkable account in our Church, because it is the only one that is referred to in the Prayer Book. People have doubted sometimes as to what was meant in the service for the Ordination of Deacons by the rubric which said that the person who came forward to be ordained should be "decently habited." Of course it was a canonical phrase. It referred to the very remarkable Canon to which the delegate from Ohio alluded, which is entitled, "Decency in Apparel enjoined to Ministers." Let me read that Canon to this House:

"The true, ancient, and flourishing Churches of Christ, being ever desirous that their prelacy and clergy might be had as well in outward reverence, as otherwise, regarded for the worthiness of their ministry, did think it fit, by a prescript form of decent and comely apparel, to have them known to the people, and thereby to receive the honor and estimation due to the special messengers and ministers of Almighty God; we, therefore, following their grave judgment, and the ancient custom of the Church of England, and hoping that in time new fangleness of apparel in some factious persons will die of itself, do constitute and appoint, That the Archbishops and Bishops shall not intermit to use the accustomed apparel of their degrees. Likewise all deans, masters of colleges, archdeacons, and prebendaries, in cathedral and collegiate churches (being priests or deacons), doctors in divinity, law, and physic, bachelors in divinity; masters of arts, and bachelors of law, having any ecclesiastical living, shall usually wear gowns with standing collars, and sleeves straight at the hands, or wide sleeves, as is used in the universities, with hoods or tippets of silk or sarcenet, and square caps. And that all other ministers admitted or to be admitted into that function shall also usually wear the like apparel as is aforesaid, except tippets only. We do further in like manner ordain, That all the said ecclesiastical persons above mentioned shall usually wear in their journeys cloaks with sleeves, commonly called

priests' cloaks, without guards, welts, long buttons, or cuts. And no ecclesiastical person shall wear any coif or wrought night-cap, but only plain night-caps of black silk, satin, or velvet." (Laughter.)

That is the particular night-cap to which the gentleman from Ohio referred. [Laughter]

"In all which particulars concerning the apparel here prescribed, our meaning is not to attribute any holiness or special worthiness to the said garments, but for decency, gravity, and order as is before specified. In private houses and in their studies the said persons ecclesiastical may use any comely and scholar like apparel, provided it is not cut or pinkt, and that in public they go not in their doublet and hose, without coats or cassocks; and that they wear not any light-colored stockings. Likewise, poor benefice men and curates (not being able to provide themselves long) may go in short gowns of the fashion aforesaid." [Laughter.]

If the gentleman from Ohio did not want to legislate about minute particulars, it seems to me by advocating this Canon he has gone into it with a vengeance.

Now, Mr. President, I want to make a little joke, and I tell you that it is a joke for the reason that I tried to make one the other day, and it was taken in such solemn and sober earnestness that two days afterward I heard a very solemn speech about it, which quite overcame me, and made it appear that I had never better make any more. My joke is this: I was unable to understand how it was that my amiable, and earnest, and devoted friend, the lay delegate from Pennsylvania [Mr. Welsh], after having stated in such a clear and distinct way that he did not believe in any legislation on the subject should have actually signed the majority report of the Committee. I understand it after having read this Canon; because, you will understand, that underneath this Canon there lies something else; when they were legislating against light-colored stockings they were legislating in favor of knee-breeches; when they were legislating in favor of night-caps, they were also legislating in case of the dignified clergy, in favor of wigs; and therefore, I believe that the lay delegate from Pennsylvania was anxious, in a surreptitious way, to provide for a possible scalping of the newly-to-be-elected Bishop of the Indian Mission. [Laughter.]

Mr. President, I do not think the people are exactly aware what these Canons of 1603 will do. As I said before, if Canons in general use are meant, they will not do anything; if Canons in particular use are meant, they will do a good many things provided this principle is adopted. If we should adopt those Canons then do we mean to say that everything in the way of Ritual is prohibited that is not mentioned in those Canons? That is a very important question. I fancy that when gentlemen come to look at this matter they will find that if we adopt these canons we simply provide for a minimum in matters of Ritual and do not touch questions that go beyond them, for every one

knows they do not bear on scarcely any disputed points. They do touch the subject of vestments, and if those Canons become law, and you cannot have any vestments but what are put down in that law, you cannot any more wear a stole; you cannot wear any black gown; you have got to wear a surplice with sleeves, and every clergyman in the United States of America has got to wear a hood. He will appear in a surplice with sleeves and a hood, and must not appear in any other vestments. I am told there is a kind of side reference in one of them to a statute of Queen Elizabeth which permits the alb and chasuble.

Having said this much about that section of the Canon, I desire to say a word about that section which puts the decision in the matter of Ritual in the hands of the Bishop of the Diocese. If the Canons of 1603, the Canons of the Church of England, have no force, of course if you leave it in the hands of the Bishops and they have got to decide the question of law, that whole constitutional question will come up in their decision, and some will decide that a great variety of ceremonies are according to law, and others will think a great variety of ceremonies are not according to law.

But supposing it should be decided by any Bishop that nothing but the law of the American Church binds us? Why, Mr. President, you have not any law whatsoever on any subject at all. You have no law on vestments. A clergyman can preach in a black coat or a chasuble, or a surplice, or anything else, so far as the law is concerned, and the Bishop will have to decide just according to his mere motion.

I should like to inquire whether anybody has ever considered of a possibility which may arise in the revolutions of time. We all know that there are no ritualists in this Convention. [Laughter.] That was clearly and distinctly stated yesterday. I am very glad indeed to know it. Now supposing it should happen some day that there should be, by mistake of course, elected a ritualistic Bishop, and supposing he has precisely the same power that these other Bishops have of deciding what is the law without any reference to anything but his own idea, and the public opinion should have somewhat changed perhaps, and he should have a notion that he would like all these things that everybody now is opposed to, and he should go to work to put it through in his diocese, there might be some difficulties which people would not altogether like if that thing were to take place.

Now I want to speak of another difficulty. If the Bishop can decide as to what is the law of this Church on his mere motion, it being understood that we have no law except what is in the Book of Common Prayer, he may actually decide that things which are permitted in the Book of Common Prayer, are not permissible in his diocese, because, understand, where the Book of Common Prayer says you "may" do a thing, it does not say you "must" do a thing, and therefore it is not law upon that subject; it is only permission, and a Bishop may

actually decide that in some dioceses a permissible thing in the Book of Common Prayer is not lawful in his diocese. And, Mr. President, I am not speaking of a thing which is not heard of; it has actually been done within the last few months: and in one of our dioceses it has been decided, I believe, that a person may not in that diocese say or sing, I do not remember which, the *Gloria Patri* after each psalm. Perhaps I am mistaken about it, but whether the particular example be true or not, the principle is true that a Bishop may so decide.

I do believe that the Bishop in some sort ought to have power over these things; but he ought not to have power by Canon to decide that what is his will on the subject becomes law. If it is left as it was left at the last General Convention for him to decide in the light of public opinion, in the light of history, carefully, earnestly, in view of his paternal duties to his diocese, and not in view of a Canon which makes his own notion law, I say that the decisions of that Bishop will command ten thousand fold the respect they would if by an arbitrary enactment he had the power to make the law; and it is because I believe in the paternal relation of a Bishop to his clergy, and because I believe in the duty of any man in matters of ceremony to submit to his Bishop that I desire to have my Bishop left to decide these matters, not according to his mere will making that law, but in the right and true and paternal spirit.

Now, Mr. President, I wish to say one word on the general subject. I want to say something about the dangers of any legislation on this subject, and I am the more led to do it because of the remarks which were made by the reverend delegate from Virginia, which seemed to me to embody that prevailing ignorance about the views of men who hold opposite Church opinions from his own which is one of the most remarkable signs of the times. Underlying the whole subject of ritual observance is one thing. High Churchmen and Ritualists, if there be any such, believe that they are seeking to come nearer to God and to our Lord Jesus Christ in and through the sacraments of the Church. That is the point which makes them love certain ceremonies. It is not because they are striving to bring in erroneous doctrine. Every one of them denies that he believes in Transubstantiation; every one of them asserts that he only believes in that Catholic doctrine of the Real Presence, which, from primitive times and down through the English Church and to our own day, has been held and believed, that somehow in the sacrament of the Eucharist there is the blessed presence of the Lord Jesus Christ, whom we behold by faith, not worshipping any outward symbol, but humbly and meekly coming to Him, if so be of His infinite mercy He will receive us and bless us in that blessed sacrament. And when the reverend deputy from Virginia accused men who hold opposite views from himself of what he did accuse them of, I might on precisely the same principles accuse him of murder. I desire to say that

between Evangelical men and men who hold the views of the sacraments that I do, there is no chasm. They seek the Lord Jesus Christ, independently, they think, of sacraments and ordinances, and have a kind of an idea that sacraments and ordinances come between Him and them. We seek Him in and through the sacraments and ordinances; but there is this union between us, that we both alike seek Him, and if we have the same object and the same end it is only a question of time as to when and how we shall come together.

Mr. President, I believe that day is coming, because I believe that this Church of ours is going to wake up to another question than those that are agitating us now, and is waking up to it,—the question of how it shall do its work in this land. And now I beg leave to ask this House whether this is a day and a time for us to be legislating about ceremonies, legislating against reverence, legislating against men who claim and believe that they are seeking the Lord Jesus Christ? Is it too much reverence that is the curse of this land? Is it too much ceremony? Is it too great devotion? Go where you will, Mr. President, and the congregations, so far from being too reverent, are very wretchedly and dreadfully irreverent, and irreverent on principle; that is to say, they have paid choirs to tickle their ears and to sing the service of Almighty God for them. They do not kneel in church. They have not any incense; but I will tell you what you will find—women filling themselves with incense so that there is an odor going up through the church very sweet to smell, not for the honor and glory of Almighty God, but for the honor and glory of men and women.

Mr. President, irreverence is the rule of this Church,—want of worship, neglect of the worship of Almighty God. Why, sir, in one of our western cities they were building, the other day, a magnificent church, gorgeously adorned, every seat splendidly cushioned, everything arranged so that every one would be just as comfortable as possible and go into the kingdom of heaven by some easy railway-way of entering it, and as the clergyman stood admiring the church when it was near its completion, there came in some one, a stranger to him, who came up to him. The grand church was there with its splendid windows, its beautiful pews, its organ and its choir, all prepared at three or four thousand dollars a year. The man said to him, "Sir, will you be kind enough to tell me how much it is going to cost to save a soul in this building?" and it nonplussed the clergyman because he knew that it was going to be a mighty expensive thing for any individual soul to attempt to be saved in that magnificent temple erected apparently for the worship of Almighty God.

Oh, sir! there are terrible questions affecting us to-day. I heard, this morning, the question of woman's work in this Church brought up, and a delegate from Massachusetts could scarcely get the thing heard because everybody was so anxious to get into this fight on ritual, and it was postponed

over to next week, when everybody knows we shall have to adjourn, or will adjourn on Tuesday or Wednesday. That is the most important question that could possibly move us. I would like to know, if next summer the cholera were to come to this land, by what organized system this Church is prepared to meet such a want as that. It has a few struggling Sisterhoods here at the East, and it has that admirable work which is going on in Philadelphia, but actually we should be totally unprepared to meet that. I should like to ask whether we are prepared to meet the grave question about Christian Education? I have been examining during the past year the statistics of Christian education, and what do I find? I find that in all the colleges of the United States of America under the charge of the Protestant Episcopal Church, there are not so many students as there are in four Methodist colleges or in three Roman Catholic colleges. We are doing absolutely nothing to meet the great wants, the terrible wants, the cries of anguish which are going up to Almighty God in this our land. I ask gentlemen of this House to let us work, work not in the spirit of prohibitory resolutions, but in the honest confidence in the Church of God, which is mighty and powerful, and glorious and great, and will accomplish its work if canonists will only let it. Our Lord seems to me to be standing before the grave, and saying to the Church bound with grave-clothes and cerements, "Come forth." And I hear His voice saying, too, "Loose it and let it go," and I beseech this Convention not to bind it with any more grave-clothes and cerements in the shape of prohibitory legislation.

Rev. Dr. MEAD, of Connecticut. Mr. President and gentlemen of the House, I have listened with great attention and interest to this debate, and I have come to the conclusion that the proposition before us must be in some shape altered before we can begin to draw towards a conclusion; and I have obtained the floor chiefly for the purpose of giving my views of what that alteration shall be. We have heard a discussion as to the Canons of the Church of England up to a certain time, which it has been asserted in our report are a part of the law of this Church which would have a bearing on ritual and everything else in use in 1789; and we have heard some advocate those laws, and others do not. It is certain that there is great uncertainty as to what those laws are, and I think in a question of this kind we had better hold that matter in abeyance. We do not want them as a question before us at this time. I am prepared, therefore, to move, and in order that my motion may be distinctly understood as a whole, with the permission of the House I will read the report as it would stand if altered as I propose to amend it:

CANON OF RITUAL.

§ 1. This Church, holding fast its liberty in Christ, its Head, recognizes no other law of ritual than such as it shall have itself accepted or provided; meaning thereby in no wise to prejudice or arraign the differing rites, usages, customs or laws of other branches of the Church of Christ.

§ 2. The provisions for ritual in this Church are:

"1. The Book of Common Prayer, with the offices and ordinal thereunto appended, as adapted to the use of this Church by additions, omissions, or other alterations from time to time constitutionally made."

I then omit the second subsection and proceed, making the third subsection the second:

"2. The Canonical or other regular legislative or judicial action or decisions of this Church, in its Conventions, General or Diocesan, or by its duly constituted authorities.

"And under this head the following acts in the administration of the Holy Communion and on other occasions of public worship are prohibited:

1st. The use of incense.

2d. Placing or retaining a crucifix in any part of the church.

3d. The use of lights on or about the Holy Table, except when necessary for lighting the church.

4th. The elevation of the elements of the Holy Communion in such manner as to expose them to the view of the people as objects toward which adoration is to be made in or after the prayer of Consecration, or in the act of administering them, or in conveying them to or from the communicants.

5th. The mixing of water with the wine as part of the service.

6th. The washing of the priest's hands or the ablution of the vessels as part of the service.

7th. Bowings, crossings, genuflections, prostrations, reverences, bowing down upon or kissing the Holy Table, and kneeling, except as allowed, provided for, or directed by rubric or Canon; it being provided that reverence at the mention of the name of the Lord Jesus is not intended to be disallowed; and it being further provided that private personal devotion before or after official ministration is not to be understood to include or justify any of the acts prohibited.

8th. The celebration or receiving of the Holy Communion by any Bishop or priest when no person receives with him.

9th. Employing or permitting any person or persons not in the Holy Orders to assist the Minister in any part of the order for the administration of the Holy Communion.

10th. Using at any administration of the Holy Communion any prayers, collects, gospels, or epistles other than those provided in the Book of Common Prayer, or under section 14 of Canon 13 of Title I. of the Digest.

§ 3. For the greater uniformity and simplicity of the public worship of this Church, for the more effectual enforcement of due habits of solemn reverence in its congregations, and out of considerate regard to the conditions under which the extension of the Church is now and hereafter to take place, it is hereby declared and provided, that in all questions arising concerning ritual observance, the administration of the Law of Ritual of this Church, whether for enforcement or for restriction, appertains to the office and duty of the Ordinary, whose official written determination, whether of his own motion, or at the official demand either of a rector or of a vestry, shall be held to be the settlement of any question which shall at any time arise concerning ritual: *Provided*, however, that contradictory determinations shall be subject, on memorial or otherwise, to revision by the House of Bishops, under such rules and regulations for bringing the same before them, as said House of Bishops shall prescribe."

Now, sir, we have heard much of the let-alone system in this country. As a member of the General Convention of 1868 I acted upon and advised such action, and we did let alone, and what has been the result? Since that I have seen things in the House of God that have perfectly shocked me. I have seen men, clergymen, after receiving the Holy Communion, sitting in front of the whole congregation previous to that, kneeling bowing before the altar, and remaining on their knees till the whole congregation had communed, and what were they doing? They were engaged in posturizing, hands pressed together, wringing their hands, smiting on the breast, and then looking cornerwise to see if they were the "observed of all observers." [Laughter.] I said to the Bishop of one of our dioceses, who is supposed to be a little tainted with Ritualism, "Sir, did you see that?" "I did," said he. "What do you think of it?" I asked. He shrugged his shoulders and gave what I would term the cold shoulder. There were two Bishops present. They witnessed it. There were some sixteen clergymen present. They witnessed it. Not long since I said to the rector of the parish, "do you recollect that?" "I do; and my congregation never will forget it, sir." This is the thing we are to "let alone."

But this is not all. Let me tell you, gentlemen, that this Ritualism is secretly, mole-like, creeping into our institutions. I tell you that it is poisoning the General Theological Seminary. I tell you that it has arrayed one professor, a rigid Ritualist, against all the rest, and he is in a glorious minority of one, and yet undertakes—

Rev. Dr. RICHEY, of Minnesota. I call the gentleman to order. It is not proper for this House to receive accusations against a Professor in the General Theological Seminary. I call the gentleman to order.

The PRESIDENT. I do not think the gentleman is out of order. There must be a wide latitude to this debate.

Mr. PARKER, of New Jersey. The only disorder is disrespect for such years.

Rev. Dr. MEAD, of Connecticut. I am always an orderly man, and the very fact that I am speaking earnestly on this subject, of this element of disorder which a few have introduced among us, is the best proof of my love of order. Sir, I have not been for nearly fifty years a minister of this Church without learning to be orderly. I was not brought up under such men as Hobart and White, whom I have rejoiced, and very much rejoiced to call my dear friends and instructors, not to be a lover of order. But sir, if I see your house on fire, and it be in the dead hour of the night, and I thunder at your door and tell you "The house is on fire," will you throw up the window and say, "I will thank you to go on, sir; you are disturbing our quiet and rest; you are out of order." I would still thunder at that door, and repeat "Your house is on fire, and you are in danger." Thus it is I address the Church now. I believed in 1868 that if we let this thing alone, it would gradually die of itself. I have seen since 1868 things, but a few of which I have alluded to. For fear I might offend some tender mind or conscience, I will say no more on that subject.

But now, sir, with regard to the motion I have introduced as a substitute for the second section, let me tell you that I have omitted much of the report of the Committee of Bishops,—a report which, I am free to say, although we were appointed a Joint Committee on it, never was brought before us, or a word that I can recollect ever alluded to it. We went entirely on new propositions.

Rev. Dr. LEWIN, of Maryland. I think my esteemed friend will allow me to suggest, that it is not in order to allude to what happened in Committee.

Rev. Dr. MEAD, of Connecticut. I acceded to the third proposition not that I believed it, for I do not in my heart and never did believe it; but I acceded to it for the purpose of bringing this subject before the two Houses; and others sacrificed their own views, some in favor of the report, and some against it, for that special purpose. We have it here, and we have been fighting shadows. I want to come directly to the point, and I believe, if I may judge the temper of this House by what I know and believe to be the temper of nine-tenths, I would say ninety-nine one hundredths of the Church outside of the little knot of Ritualists who are endeavoring to disturb our peace. I wish them to act and to act directly on the question. Hence I have brought it forward.

And now let me tell you, gentlemen, what is the great point, the great object of exhibition in what may be termed a Ritualistic service? It is those acts in the Sanctuary of God, before His holy table. These gentlemen have their æsthetic tastes. But suppose I go into such a place, is my peace of mind to be disturbed by seeing things so unusual? Am I, who disbelieve in the erroneous doctrines of the Church with which we are affiliated, and from which we came out purified at the Reformation, to sit and witness things which I cannot see the use of, unless they are symbolizing those very doctrines which the Church of England threw aside at the Reformation, and which we do not and I trust in God never will tolerate so long as we remain a Church?

Now, sir, strike at this; give your Bishops power to say to these fanatical men—reverent men I suppose I ought to call them [laughter]—"You must conduct the services at the Holy Communion just as has been the custom in this Church; I can allow nothing else; it may please you and a few of your people to do otherwise; but it is displeasing to the mass of the Church, and they believe that there is something behind it; and, therefore, whether there be or not, it is best for you to lay aside your tastes, and to conform to the usages of the Church."

Strike at that, Mr. President, and you have done the work. They will not want then to be putting on parti-colored garments. They have the same right, after witnessing a clown in a circus, to go to the Holy Table in a clown's dress, as they have to deviate from the usage of the Church with regard to her vestments. But strike at that, and there will be an end of this whole matter. We want nothing about caps, nothing about surplices down to the ankles, nothing about choir boys—leave those things to adjust themselves; but strike at the root of error, which however little these gentlemen may be willing to acknowledge it such, is pregnant with the greatest error and the greatest danger to this Church.

I offer the amendment which I have presented as a substitute for the second section reported by the Committee.

Rev. Dr. GOODWIN, of Pennsylvania. I accept that as an amendment to be substituted for mine.

Mr. GORDON, of Alabama. Mr. President.

Rev. Dr. SCHENCK, of Long Island. I beg to submit to the gentleman from Alabama that it is within ten minutes

of the hour of adjournment, and we must take the question to-day, or not at all.

The PRESIDENT. We cannot use this room to-night, I understand, and we might as well sit till four, or a quarter past four.

Dr. GOODWIN, of Pennsylvania. I move an extension of the time to four o'clock.

Rev. Mr. KING, of Long Island. Is it understood that we shall take the vote at four o'clock? ["Oh no."]

Rev. Dr. HAIGHT, of New York. Will the Chair allow me to make a communication from the Joint Committee of this House and the House of Bishops? A motion was made yesterday referring to the Joint Committee on the Dispatch of Business the question of adjournment. They have agreed to recommend to this Convention to adjourn on Tuesday night. I do not ask for any question to be taken on this now, but I wish the House to understand what the feeling of the Joint Committee of both Houses is, that they may conduct themselves accordingly.

The PRESIDENT. The question is on the motion of the Deputy from Pennsylvania, that to-day's session be extended until four o'clock.

The motion was agreed to, there being on a division, ayes 116, noes 67.

Mr. KING, of Long Island. I move to amend the motion, by saying that at ten minutes before four o'clock we take the vote.

Mr. CARTER, of Maryland. I rise to a point of order. The motion which was before the House has been acted upon, and cannot now be amended.

The PRESIDENT. Of course not.

Mr. CARTER, of Maryland. I understood that the gentleman from Alabama yielded the floor simply to allow the motion to be made to continue the session.

RESTRICTING LIMITS OF DIOCESE.

A message (No. 43) was received from the House of Bishops, announcing the passage by that House of the following resolutions:

Resolved, (The House of Bishops, Clerical and Lay Deputies concurring). That the alteration of the Constitution recommended in the following resolutions be proposed, and that the same be made known to the several Diocesan Conventions, in pursuance of article 9 of the Constitution:

Resolved, That article 5 of the Constitution be amended by the insertion of a second paragraph after the first paragraph of the article as it now stands, in the following words: "Any diocese already formed and admitted, having an extent of territory which requires division, may, upon application by the Bishop and Convention of the Diocese, be set off within such restricted limits as shall be, by said Bishop and Convention agreed necessary and designated by action of the House of Bishops on concurrent vote of the House of Clerical and Lay Deputies in General Convention. The portion left out by such action shall be subject to disposition under Canonical provisions for Missionary jurisdictions."

The Rev. Mr. ROGERS, of Texas. I move the concurrence of this House in that.

The Rev. Dr. LEWIN, of Maryland. I think it should go to the Committee on Canons. I am not opposed to the principle, but I think the language of the proposition should be considered by the Committee.

The PRESIDENT. The message will be on the table for the present, as the gentleman from Alabama is entitled to the floor on the business regularly before the House.

The Rev. Mr. ROGERS, of Texas. If I may be allowed the floor for that purpose, I move that when we adjourn to-day it be to meet at 9 o'clock on Monday.

The motion was agreed to.

RITUAL UNIFORMITY.

The House resumed the consideration of the Canon reported by the Joint Committee on Ritual Uniformity.

Mr. GORDON, of Alabama. I regret, Mr. President and gentlemen, that I have conceived it to be a duty imperative upon me to say a word in this discussion, and I really do believe that I should not have done so, but for the last substitute that was offered by my reverend friend from Connecticut. I do so with great reluctance, because of the fact that, if the amendment, or substitute that has been offered by him should at all meet the concurrence of this House, the entire subject matter as reported by the Committee of Conference will have been robbed of every element of worth, so far as my judgment is concerned.

Listening yesterday to the remarks of the majority and of the minority of this Committee, although there were

reasons, to my mind very satisfactory, why there should not be any legislation upon this subject in the manner of a Canon, yet I did feel carried forward by the language of the Reverend Deputy from Wisconsin [Dr. BEERS,] who pointed out so clearly how this Committee of Conference, anxious and desirous to bring forth something that should create peace in the Church, had determined not to individualize, had determined not to make class-legislation, had determined that when they recommended a Canon it should be a Canon that ought to establish principles, rather than an operation upon individuals; and hence for some time after the remarks of the clerical Deputy from Wisconsin it seemed to me that they had, at any rate, established the correct principle for the treatment of this difficult subject. Sir, if we take past legislation as the principle by which this Church shall be guided, if we were to legislate in reference to those things which are merely the outgrowth of the present age, instead of the outgrowth of the thoughts which rest upon principle, we shall have the General Convention nothing more than a meeting once in every three years, for the purpose of applying the axe to the tree that shall have sprung up within those three years; and I do not understand the General Convention of the Church to be called together for any such purpose whatsoever. I understand the Convention of the Church to be called together for something grander and deeper than that. Individuals upon this side, or upon that side may alter; but the Church of God, taking the middle way, in which, by the blessing of God, it has always been preserved, and in which, by the blessing of God, it will always be preserved—I say, disregarding the eccentricities upon the one side, and the eccentricities upon the other side, the Conventions of the Church are called together for the purpose of deliberating upon something greater, grander, deeper. And hence, when this Committee of Conference brought their report to this House, they individualized nothing; they attempted to strike not directly at anything which had been brought before the attention of this House or of the other House, but to lay down simple landmarks by which we should be guided in the future. But, sir, when we start in the language of the Committee of the House of Bishops, or in the language of the substitute which has been brought forth by the reverend gentleman from Connecticut, and legislate simply against one man or class of men—I say that the moment you do that you lay the door open for legislating against another and equally dangerous class of men. If there is to be cutting against the one, I want cutting against the other; but, please God, I want cutting against neither. I believe that the Church of God is broad enough and wide enough to embrace within its folds those who think as the distinguished and eloquent gentleman from Wisconsin, who addressed us just now, and those who think as the learned Deputy from Virginia who addressed us to-day.

And while I am on this subject permit me to say that I never have been more struck with the different phraseology and the different temper manifested upon this floor by those who agree with the gentleman from Virginia and by those who agree with the gentleman from Wisconsin. If there is evil in Ritualism, and the latter is a Ritualist, at any rate it has prompted him not to characterize in unkind or uncourteous terms those who differ from him upon questions of form. There has been nothing said that I have heard from that gentleman, or from any who think with him, which could offend the taste or the feeling of any gentleman upon this floor; and I frankly confess that I was very much struck when the Clerical Deputy from Virginia, who addressed the House this morning, spoke of the fact of his being an humble member of that party in the Church to which he belonged, deprecating at the same time the bowing at the name of Jesus—I could not help being struck by the fact that, with the instinctive feeling of a gentleman, when he spoke of himself as an humble member of that party, he bowed. He bowed to this assembly, and yet he declaims against those who would bow at the name of the Saviour.

Now, sir, upon the main subject (because I understand not only the substitute but the main question is before us), upon the subject of the second sub-section of the second section of this Canon, to-wit: the adoption of such English Canons as were in use in the year 1789, so much has been said that I desire not to detain the Convention except with one thought which struck me in the course of the exceedingly able argument of the lay Deputy from Ohio. He dwelt upon the fact that the word "use" was a saving word, that the fact that it was a Canon in use at that time saved it from all difficulties, and that it was a very easy matter to determine what Canons were in use at that time. If I were called upon to decide whether I would take the

use of the Church in one diocese or another in 1789 in preference to the use of the Church in America to-day, I frankly confess that my judgment and my desires would be in favor of the use of the Church to-day; for in the year 1789 the Protestant Episcopal Church of the United States of America was unquestionably under a cloud in the land. There is no doubt about the fact that during the Revolutionary war, and after the Revolutionary War, communicants of the Church of England were held to be Tories, and the fact that in Virginia and many other States those who were of the communion of the Church of England, held to that Church, made them obnoxious to the people of the United States; and hence the use so far as ritual was concerned, of the ancient Canons of the Church, was down to a very homeopathic point, and if I had to choose between the amount that I should receive of ritual, I think I should take the dose of 1871 rather than the dose that would be administered in 1789.

The gentleman said in connection with this subject, that he pledged the Convention, from his knowledge of it, that there would not be one single Romanizing feature brought into the Ritual of the Church if the Canon, as proposed, were adopted. I do not know whether it would or not, for I really do not know precisely what all the Canons prior to 1789 are. But, sir, while he is leaving out Romanism on the one side, I should like to have some guarantee given me by those who understand it as well as he does, that there is nothing that is equally as dangerous upon the other side brought in. I do not mean to say that there is any Trojan horse in this Canon, but I do mean to say that, being ignorant of the fact whether there is or is not, I, for one, am unwilling to vote in favor of the adoption of a Canon that may affect me very seriously as a member of the Church.

So much for that point. There is one other question that I would desire, while I am on my feet, to bring before this body. I cannot, after much consideration, entirely accede in the spirit of peace to that portion of the recommendation of the Committee of Conference which arms the Bishops with the powers which it is proposed to confer upon them. I think my record, short though it may have been in the House of Clerical and Lay Deputies, will free me from the charge of any want of reverence towards the office of Episcopate. I think that if there is any one who would desire that every portion of the Bishop's power, which properly and legitimately belongs to him, should be retained, it is he who now addresses you. But, the point of objection that I have in my mind to that branch of the proposed Canon, is this: I believe that it places in the hands of the Episcopate a power not only that the Bishop ought not to have, but that he would not desire to have. Mark you, there is no question that to-day the Ordinary is the proper person to decide upon the various questions which may arise on Ritual in his Diocese; but this Canon says that whenever there shall be a disagreement between a Vestry and their Rector, upon the application of either the one or the other, the Bishop is bound to give his written opinion. Mark you, he may not desire to do it; he may feel that he has more power over the Rectors of his Diocese, and over the congregations of his people by personal influence, than by the arm of Episcopal authority; but, whenever this question is brought before him, he is bound to decide immediately, and to decide in writing.

I have no sympathy with that school of people who, following the ideas of our own Republican country, love not only to make Kings, but also to unmake them, are jealous the very moment they have set up an idol as to the power that idol shall receive. I know that the crozier must be exchanged in this country for the cross; I know perfectly well that the mitre is a myth; and I know that our Bishops—thank God for the men that we have—have been willing to recognize this fact in this country, and to be rather desirous that heart should beat to heart, and by the gentle influences of individual association with their members, to carry out the godly purposes of their Episcopate. I tell you that man will have vastly more influence in the Church of God, at least in America, who does not bring down the strong arm of Episcopal authority whenever invoked, but rather draws his erring brother to his heart, and presses him close there until heart beats with heart unitedly. I do not think I have ever been so impressed as I have been with the action of one of our fathers in God, in reference to this very question, during the past three years. Of all the Bishops in the country, perhaps his task has been the most difficult; for with him and under his charge have been those who have been held up as extremists upon both sides; and if this Canon had been in force, that Bishop, half a dozen times during the last three years would have been bound under the sanction of a Canon to give a written opinion on

the subject. And yet, by individual influence, by kindness, by gentleness, by love, by absolutely refusing to let these men be martyrs, as they aspired to be; by refusing to permit them to be crowned with the crown of martyrdom—by, as I said before, individual influence and love, see, according to what the learned Lay Deputy from Pennsylvania [Mr. Welsh] said yesterday as his observation, how this thing has been modified, since the last General Convention, upon both one side and the other. My word for it, that the more power you impose and make absolutely necessary for the Bishop to wield, the less efficient you make him, and the less likely will it be that his mandates will be carried out.

But, sir, one other word upon that subject. The rector of a congregation who differs from his Bishop and refuses to obey, is tried, and, as my brother delegate from Alabama said yesterday, is deposed for what? not for teaching false doctrine, but for contumacy. Now, the very next time the question comes before the House of Bishops, or when it comes before that House on a division of opinion between two Bishops, then the question upon which he has refused to obey is decided adverse to the Bishop who had been placed over the rector, how is the rector then to be reinstated? There is no Canon law in our Church for replacing a rector who has been deposed. A priest deposed once is a priest deposed forever in the present attitude of the law of the Church. Then you have the anomaly of a rector deposed because he has disobeyed a Bishop in that in which the Bishop has been absolutely overruled, and yet never being able to be reinstated to his place.

My learned and distinguished friend from Pennsylvania [Rev. Dr. Goodwin], whom I rarely ever feel myself right in differing from, said yesterday that, with the great feeling of obedience that he had always to his Bishop, he could never understand a point in which he would refuse to obey his Bishop, even though he had to wait till the world to come for his reward for obedience. Now, I can imagine that my reverend friend might be under the Episcopal authority of one who holds the views which have been expressed by the reverend Deputy from Connecticut as embodying such false doctrine, and I can imagine that a clergyman of the same side as that to which my reverend friend is supposed to belong, may make a point on the Bishop and ask that there shall be an adjudication upon that point. Now, under this Canon, that Bishop, although he might have been able to temper this, although he might have been able to regulate it but for this Canon, is bound to give the opinion. He agrees with the practices which the learned gentleman from Connecticut says are so pernicious and embrace so much false doctrine. The gentleman from Pennsylvania is bound to follow the law laid down by the Bishop, because of the fact that it is the law of his diocese, and if it embrace these doctrines that are false, he is bound to carry out a ritual that shall embody false doctrines.

I lament more than I can express in words the fact that it has seemed good to my reverend friend from Connecticut [Rev. Dr. Mead], to bring in this substitute to the original report as brought from the Committee. Imperfect as that original report was, vastly more obnoxious it seems to me, to the mind of the Church, would be this species of class legislation. Sir, the longer I live the more does it seem to me that I should follow the teaching that I seem always to hear Sunday after Sunday from him who in God is placed over the parish to which I belong; and that is to look for fruit and not so much to criticise the manner in which, so long as there is no sacrifice of doctrine, that fruit is nurtured and reared, as to thank God and say God bless that man who brings forth fruit.

It has been said that there are no Ritualists in this Convention. Sir, I frankly confess that I have a love for the beautiful. It is embodied within my nature. I do love to see the house of God arrayed with all the beauty that loving hands can bring to make it more beautiful in the sight of God. I hate to think that my money can be expended upon my parlor, and my house, and my horse, and yet that I am not to bring that money and consecrate it by beautiful objects within the house of God. My eye loves to be aided in its devotion by looking upon the representative of the cross upon which my bleeding Saviour died. I love to hear the concord of sweet sounds, enabling me to be carried up to the very atmosphere of Paradise through the beauty of Church music. But, sir, there are many who do not thus worship on the wings of such accessories, with the same pleasure that I do; and I would not, for one moment, endeavor to bind my brother whose heart shudders at any thing of this, as being the representative of false doctrine. I would not impose upon him all these things, which to my weak mind, are necessary accessories of real and satisfactory devotion. If he desires to worship in a

lain, unostentatious manner, without form other than the mere forms that are laid down in the Prayer Book, without any assistance at all from these accessories but the Rubric's form, God speed him; I would not interfere with his pleasure in devotion, nor should I endeavor to impose my nature upon him, more especially as I see in him a man who, by my side is working, and bringing forth fruit to be gathered up and carried to God in the last day, as the lambs of his flock. While I am willing to accord to him the liberty that the Prayer Book allows, I ask from him nothing more than that he accord to those æsthetic tastes, which perhaps unfortunately I possess, the same liberty to array the temple of God in beauty, and to have as aids of my devotion those things which are merely appeals to the beautiful, and that do not involve any question of doctrine. I do believe in the Prayer Book; I look with love and gratitude upon the Prayer Book, upon which our primitive Bishops united, upon which all of us have so long united, and I do believe that in that there is enough, vastly enough if the love of God constrains us to be charitable toward our brethren—enough to enable us to continue our onward march of improvement, and not waste time upon arguments of mere ceremonial, watching out for the man who brings forth the best fruit, recognizing the hand of God in all.

Rev. Dr. CADY, of New York. I rise, Mr. President, to offer an amendment to the amendment, which is to be a substitute for the whole matter. Is that in order?

The PRESIDENT. An amendment to the amendment is in order.

Rev. Dr. CADY, of New York. To be regarded as a substitute for the whole matter.

Rev. Dr. GOODWIN, of Pennsylvania. I beg to explain that the amendment offered by the Deputy from Connecticut has been accepted by me, as an amendment to the original amendment proposed by me. It stands, therefore, first.

The PRESIDENT. I did not recollect that the Deputy from Pennsylvania had proposed an amendment.

Rev. Dr. CADY, of New York. Then I move a second amendment, to put the Canon in this form:

"CANON OF RITUAL.

"In all matters of Ritual that are doubtful, reference shall be made to the Ordinary, and no changes shall be made against the godly counsel and judgment of the Bishop."

That is the resolution that was sent up to the House of Bishops by this body three years ago, and on which difficult questions of Ritual have been determined in the various dioceses during the triennial period that has passed. I offer that as a substitute for the other.

Mr. CARTER, of Maryland. Mr. President, I move the indefinite postponement of the whole subject, and I desire to address the House upon that motion. I had intended to make this motion, if I had succeeded in getting the floor before the amendment of the reverend Deputy from New York, which has just been submitted to the House; but, if the House needed an additional argument to induce it to adopt the motion I now make, the amendment of the reverend Deputy from New York gives us that argument.

How stands the case now, Mr. President, as we have it at this moment of time? On one of the first days of the session of this Convention, the House of Bishops, in their wisdom, sent down to this, the lower House, the report of a Committee of five of the House of Bishops, which report had been submitted to the House of Bishops in pursuance of a resolution which had been adopted by that House at the Convention of 1868. At that Convention of 1868, the motion which is now submitted by the reverend Deputy from New York, as an amendment and substitute for our whole proceeding, was that action which this body recommended to the House of Bishops. The House of Bishops not concurring in that action thus submitted for their concurrence, sent down to us a message that they would consider in the interim between that Convention and this, the subject of whether any alterations on the question of Ritual were necessary, and if any alterations, what alterations.

The House of Bishops not being competent, after their adjournment, from the size of that House, to consider this subject in the whole House of Bishops, committed it to a Committee of Five. That Committee, after having meditated upon this whole subject for three years, submitted their report to the House of Bishops, and the House of Bishops, not acting upon it as they might have acted—I do not say that they were under any obligation to act—but if it had met their fatherly consent, they could have acted upon it and sent it down with the *imprimatur* of their wise leg-

islation. Did they do it? No, sir. They sent it down to us not in words saying, "We do not believe in this legislation," but affirming that proposition as near as they could affirm it, without saying it in words, because, having had it submitted to them by their own Committee, they do not act upon it, but send it down for our consideration.

Well, Mr. President, what was that report? Almost identical with the amendment now proposed by the reverend Deputy from Connecticut. He has left out some one or two things; but the principle of his amendment is the principle of that report,—legislation on particular subjects, comprehending but a small part of the whole great field of Ritual, and sending it down for adoption.

When that report came here, what did this House do? Appointed a Committee, after a long discussion, after mature consideration. Was there any proposition from any source submitted to this House to adopt the report of the five Bishops? Not one. The only thing it was deemed wise to do was to submit that to a Joint Committee of the House of Bishops and of this House, composed of how many members? Five Bishops, five Clerical Deputies, five Lay Deputies. What to do? To consider that report and the whole subject of Ritual. A Committee was appointed by our President under the full sense of his responsibility to the whole Church, to the Church composed of persons who looked at it in every aspect in which it ever has been looked at. That was the responsibility which the President felt was upon him, which this House, with noble confidence, left him to discharge. Did he appoint what is called a one-sided Committee? Did he not embrace within the folds of that tent persons whose ideas on these different subjects were divergent? Were they not gentlemen who, from their past experience and their ability, stood well in the confidence of this House? Was there a murmur with reference to how that Committee was constituted? Not one.

Go a step further. They meet in council with the five Bishops, not now five Bishops in this city away from their brethren of the House of Bishops, but sitting after a lapse of many days from their appointment—sitting here during the sessions of our General Convention, with opportunities of consultation with the whole fifty-two of the House of Bishops; and do you for one moment suppose that those five Bishops, honored names in themselves, did not take that solemn opportunity to consult with their brethren of the House of Bishops before they agreed to the report which we received two days ago? Can it be that with the eyes of all our dear Church, not only of the representatives here in the city of Baltimore, but from the wide skirts of this great and glorious country; nay, Mr. President, with the eyes of all Anglican Christendom on them, do you think that those five Bishops, when they agreed to that report, agreed to it as the individual judgment of the Bishop of Maryland, of the Bishop of Western New York, of the Bishop of Pennsylvania, of the Assistant Bishop of Ohio? No; it was concentrating in those five the opinion of the House of Bishops as far as brotherly counsel with those whose representatives they were could give them advice and counsel.

Well, Mr. President, that is the House of Bishops' part of the Committee. Here was our Committee, with the Chairman, the Rev. Deputy from Connecticut, the author of this amendment now (which flies in the teeth of the whole Committee's report), standing up here as the mouth-piece of his Committee, and from that platform, after the Rev. Deputy from Virginia had spoken, advocating, as well as he might, to the best of his ability, that very report.

That is not all, Mr. President. Who followed him? The Rev. Deputy from New York (Dr. Haight), honored from his long sitting in this Convention, whom I now have the pleasure of seeing in the President's chair. They spoke for the majority of the Committee. The minority of the Committee did not dissent from that form of legislation, if legislation there was to be. It was not, therefore, a minority in favor of this project of the five of the House of Bishops. That was no part of the sentiment of that honored minority. We know that, because every one of them have, in silvery tones, told us that that was not their way of thinking. We have, therefore, in so far forth as concerns the project of the five Bishops, which is now fathered and sent into this House by the Rev. Deputy from Connecticut, the unanimous opinion of our ten deputies and of the five Bishops, the whole Committee, doing—what is it? I will not say. I will let the reverend Deputy from New York, who spoke second, who now occupies the President's chair, speak for me upon that point. I find in the very excellent report which we have of his remarks the following:

"In the first place, I desire to call the attention of the House to the fact,—and it strikes me that it is a significant fact, in relation to the report now before you, being the

action of a Committee of Conference,—that it does not touch in any shape, manner, or form the proposed action by the five Bishops, which was received by the House of Bishops, and sent down to this House. I ask the particular attention of my brethren to this fact, without expressing any opinion touching that document signed by the five Bishops, which was before our Committee of Conference on Ritual. There is not the slightest affirmation, either directly or by implication, of anything contained in that report. I do not remember that anything more than a single passing word was uttered in that Committee touching that report. I beg gentlemen to consider this, as having a great deal of significance in relation to the action which they did propose. That document, be it characterized as it may be, has been put out of sight and is in no wise, in any shape, manner or form, before this Convention."

Who put it out of sight? This Committee. Not because they had not considered it, but because, having considered it, they did not deem it worthy to be brought again into this House. That was the report of our Committee. We have had it under discussion; the learned Deputy from Connecticut, the learned Deputy from New York, the able Deputy from South Carolina, and the Reverend Deputy from Virginia have at length, and with force and eloquence besought this Convention to adopt that report. Now I put it to you, gentlemen, that the clerical Deputy from Connecticut asked us to adopt the report; but what is the attitude of affairs now? The Deputy from Connecticut brings forward as an amendment that which, if the Canon submitted by the Committee was correct, has not a vital part to stand upon.

Now, Mr. President, I am going to speak strictly to my motion to postpone indefinitely. I am not going into the merits, except so far as they relate to that motion. The Canons of the Church of England which were in use in 1789 in this country are declared to be a part of the ritual law of our Church. The whole argument of the learned Deputy from New York was to show that our Church not being, as he expressed it, a mushroom Church, but one of continuity with the Church of England, whatever Canons of the Church of England were applicable to our condition in 1789, were now the law of the Church, and that whether we passed this Canon or not, it would be the same thing, that they would be operative and in force as the law of the Church, and that this was nothing but a declaration of what the law was. What does one of those Canons require? That at the name of our Saviour, of Jesus Christ, there shall be lowly reverence made whenever it is used. The amendment submitted by the gentleman from Connecticut prohibits genuflections and bowings, but says that reverence at that holy name is not to be prohibited, but it is not commanded. There is nothing in the proposed amendment of the Deputy from Connecticut which says to every clergyman, You shall bow down to that name. The Canon of the Church of England says, You shall. If that is in force, as the Reverend Deputies themselves agreed, it is the law of the Church to-day, and every clergyman is bound to bow down at the name. The Canon, as it is proposed now, does not make it necessary to do that at all, and I take leave to say that there are a great many clergymen whose heads never crook at that name. After we have a report of a Committee that says it is the binding law of the Church that at that name every knee shall bow, are we going to adopt in lieu of that section, which thus resuscitates that Canon, the amendment of the Deputy from Connecticut, which is altogether silent, and leaves out all declarations about the Canons of the Church of England?

The amendment of the Reverend Deputy from New York, [Dr. CADY,] is that we leave the whole subject to the Bishops to be determined. Now what is the state of the case? We have got the report of our Committee that the Canons of the Church of England are in force; we have got the amendment of the Deputy from Connecticut that it is no such thing, that that is all nonsense, that we have been laboring under a great mistake when we argued that heretofore, and when he spoke in favor of his own report. Now he says that is a mistake, we do not want any of these Canons, we want this particular amendment of mine, which is in the teeth of these Canons. The Deputy from New York says, you do not want either; you do not want any specific legislation; you do not want the Canons of the Church of England; we only want the law left to the Bishop.

Now, in the multitude of these controversies, how is the House at this last moment of the session, when the Chairman of the Committee has gone back on his report and his Committee, and said that it is not fit legislation for us to adopt,—how can we, at this late stage, decide what we

ought to do? If it was at the beginning of the session, we might have another Committee, whose Chairman might not go back upon the Committee; we might have something by which, whether they failed or won, they would stand. Now they desert the standard which they set up here, and are going for something else.

Mr. President, this is too serious a subject—it is too vital a subject to make a mistake about. It is not like some little Canon as to some infinitesimal matter in the Church, that if we do make a mistake about can soon be righted. But here, with this great subject before us, with the whole Church looking at us, are we going at the last moment, and almost at the very hour of adjournment of the last day, when many will not be here—are we going, merely in order to have some legislation, to take leaps in the dark and make ourselves by-words before all men? Not that that is the motive which should influence us; I did not mean to suggest that; but I think we should legislate on this great Church question in the interests of Him whom we profess to serve, and that in the clouds which now surround our brows we shall not legislate, it may be, for the interests of His arch-enemy. This is the great subject which our enemies hoped would produce discord. I beseech the Convention, do not let them point the finger of scorn at us and say, your five Bishops recommended one thing, your Committee unanimously turned that down as not fit to come into sight, and, after your Committee had argued in favor of the direct opposite to that, you at the last moment turned around on your Committee of Fifteen, and adopted that which they said was not proper to be brought into sight.

I hope, Mr. President, the motion to postpone indefinitely will prevail.

Mr. JUDD, of Illinois. Mr. President, I desire to be heard for a short time upon the question which is before the House, and I understand that upon this motion to postpone indefinitely the whole subject-matter of the report is before the House.

The PRESIDENT. Yes, sir.

Mr. JUDD, of Illinois. If I were to defer to my own personal feelings, I should keep myself silently seated; but when I reflect that I am here to-day speaking for the entire lay voice of a great Diocese, I think it my duty to make some suggestions for the consideration of the House. I may as well announce now as hereafter, that I am in favor of the indefinite postponement of this whole subject, considering the present attitude of it; and I will proceed to make some suggestions upon the merits of the case.

In the outset I wish it to be distinctly understood that I am neither a Ritualist, nor do I belong to that class of churchmen who remain in the Church to pull it down. I stand upon the fundamental basis announced in the preface of the Prayer Book, which we all revere, and what is that? "It is a most invaluable part of that blessed liberty wherewith Christ hath made us free, that in His worship different forms and usages may, without offence, be allowed, provided the substance of the faith be kept entire." This is my position, Mr. President,—“provided the substance of the faith be kept entire,” let there be catholicity, liberality, elasticity throughout this Church of ours in this glorious land. And right here I desire to remark further, that if there be any trenching upon the doctrines of this Church, whether Romeward or in the opposite direction, we have ample law to-day to bring the offenders to justice; and if we have that law, why add precept to precept and line upon line?

I believe that the Canons of the Church of England, so far as applicable, are in force in this Church of ours; and I will not dodge behind the language employed by this Committee, and resort to the words “in use.” I believe that those Canons are in force, and for that reason, among others, I shall oppose this entire proposed Canon; because *expressio unius est exclusio alterius*; and it is declared by the propositions which have been put forth here that the Ritual law of this Church “is as follows,” and this excludes all other ritual law in this Church if this Convention adopt it. Apart from the question that is under discussion here to-day as to the dangerous tendencies of certain parties in the Church, I think it dangerous for this Church to declare that there is no other law of ritual than that which is proposed by this Committee and by the learned gentleman, the clerical Deputy from Connecticut. Sir, I maintain that there is a law of Ritual and Discipline, and let it be remembered that all which does not belong to doctrine is referable to discipline. I maintain that there is a law, that there is the law of God, the Canons and the Constitution of this Church, and the Canons of the ecclesiastical law of England, and I stand upon that basis, and I shall fall upon that basis, if fall I must. That law is embodied in the great Ecumenical

law, the catholic code of the Church of God, and neither this Convention nor any other legislative body of a mere provincial or national Church has any right to lay its hands upon that sacred law. And yet, the Committee would tell us that there is no further law of ritual, whether it came from Holy Writ or from the Ecumenical Canons and Codes of the Church. I suppose this was inadvertently done. I do not suppose that the gentlemen intended this, but I am aware that Committees are fallible, and in order to show that Committees are fallible, I will merely call attention to the resolution which they propose, because it is well that we should take into consideration the ground upon which we should stand and the ground upon which we are asked to act. The resolution, as proposed by the Committee, is:

"That a joint Committee of three, of each Order, be appointed to examine the Canons of the Church of England of 1603, and report to the next General Convention what portions were in use in the American Provinces in the year 1789."

If that Committee can tell me what American Provinces there were in 1789, I should like to listen to them. [Laughter.] I want to say to the gentlemen that their whole superstructure falls to the ground if you leave their work where they left it. It shows that they are fallible like other men. I want to say to them that I do not believe, as my learned friend, the honorable gentleman from Maryland, seems to believe, that the Bishops of that Committee consulted with the House of Bishops, because, I think that the House of Bishops could have informed that Committee that we did not have any American Provinces in 1789. [Laughter.] The language of the Canon reported is a little different, "in use in the American Provinces before the year 1789." When did we have American Provinces? Probably not after 1776. What will gentlemen do with the intermediate period? Must we go beyond 1776? And when must we begin to inquire as to this use, and where must we inquire as to this use? And when we ascertain about that, we are told by gentlemen on this floor that there must be a uniform use, in order to make it law. Then the Church of the Living God in this land of ours, being enshrouded, I might say, in swaddling clothes, because it had just been born, must keep on her swaddling clothes to the day of her death. Is the mental nut-shell into which she was compelled to creep in 1789 sufficient to hold this branch of the great Catholic Church in the United States of America?

Mr. President, if we are to adopt any proposition of that sort, I am for inserting the words "in force." I am for declaring that the law of Ritual, wherever it can be found in Ecumenical Canons, in the Sacred Writ, as well as the Canons of the Church of England, in force in 1789, and the laws enacted by this Church of ours, constitute the law of Ritual; and then, if gentlemen can get consolation out of that, they are welcome to it.

Now, before I proceed, I want to call attention to a Canon which is in force in this Church. I refer to the second Canon of title 2 of the Digest: "Every minister of this Church shall be liable to presentment and trial for the following offences." There are five subdivisions of that section, the second of which is: "Holding and teaching publicly or privately and advisedly, any doctrine contrary to that held by the Protestant Episcopal Church in the United States of America." There is law enough for us. We are told by gentlemen who represent the Committee, that they are simply declaring the law of this Church as it exists to-day. If that be true, then we have ample provision for punishing offenders whenever they shall trench upon doctrine.

But, sir, if we shall undertake to declare what is the law, let us not do it by piece-meal—let us not undertake to point the shafts of this House at one particular branch, however unpopular it may be in this Church; let us point them also at those who are defective in the Ritual of the Church—those who defy the command of the Church, and, I may say, defy the voice of God, when they are commanded that at the name of Jesus every knee shall bow; for, sir, I apprehend that to be the command of God, as well as to be embodied in the law of the Church by Canon. I refer to second Philippians.

SEVERAL DEPUTIES. The hour of adjournment has arrived.

Mr. JUDD, of Illinois. Do the gentlemen object to my reading the Bible?

The PRESIDENT. The hour of adjournment has not yet arrived. Five minutes still remain, and I hope the gentlemen will close within that time.

Mr. JUDD, of Illinois. I hope to be able to finish in a short time, if the gentlemen will allow me to proceed. ["Go on."] I refer to Philippians, chapter II.:

"Let this mind be in you, which was also in Christ Jesus; Who, being in the form of God, thought it not robbery to be equal with God,

"But made Himself of no reputation, and took upon Him the form of a servant, that was made in the likeness of men;

"And being found in fashion as a man, He humbled Himself, and became obedient unto death, even the death of the cross.

"Wherefore, God also hath highly exalted Him, and given Him a name which is above every name:

"That at the name of Jesus every knee should bow, of things in Heaven, and things in earth, and things under the earth;

"And that every tongue should confess that Jesus Christ is Lord, to the glory of God the Father."

Now, Mr. President, I conceive that this Canon of the Church of England, which I insist is in force, carries out the command of Holy Writ; and if we must legislate for one portion of the Church, let us legislate for another, because it is not unfrequently that I see this, not merely with the lower orders of the ministry, but Bishops standing erect as if to defy the commands of Holy Writ and of the Church—

Rev. Mr. CURRIE, of Rhode Island. I call the gentleman to order. He is charging Bishops of the Church with an attitude of defiance to the law of Jesus.

Mr. JUDD, of Illinois. I do not wonder the gentleman squirms.

The PRESIDENT. I think those words are out of order, and should not be indulged in. The gentleman will please proceed without making such invidious reflections.

Mr. JUDD, of Illinois. If the Chair will direct me how to proceed in order, I will do so. I am discussing the matter of enforcing law against both sides, if at all, and I insist upon that.

The PRESIDENT. But it is not necessary to make a reference to any Bishop or Bishops.

Mr. JUDD, of Illinois. I have referred to no Bishop.

Rev. Mr. LEE, of Kansas. Allow me to suggest to the gentleman that the language is "bow the knee."

Mr. JUDD, of Illinois. The gentleman comes in with a quibble to evade the law. If he will bow the knee only, he comes within the letter, but not the spirit. But, if this is distasteful to gentlemen, I shall pass to what all must admit to be a legitimate argument.

I have referred to the Canon of the Church of England, which requires reverence at the name of Jesus. I have referred to the passage of Holy Writ sustaining it. I now desire again to say that I believe the Canons of the Church of England are in force so far as they are applicable. Now, I want to go a little further—

The PRESIDENT. It is four o'clock, and the House stands adjourned until Monday morning, at nine o'clock.

SEVENTEENTH DAY.

MONDAY, October 23, 1871.

Morning Prayer was said by the Rev. R. B. Croes, D.D., of the Diocese of New York, assisted by the Rev. Erastus Burr, D.D., a deputy from the Diocese of Ohio; and the service was concluded by the Rt. Rev. Joseph Cruikshank Talbot, D.D., LL.D., Assistant Bishop of Indiana.

On motion of the Rev. Mr. Rogers, of Texas, the reading of the Journal of Saturday was dispensed with.

SUFFERERS IN MICHIGAN AND WISCONSIN.

The Rev. Dr. Adams, of Wisconsin, obtained unanimous consent to offer the following resolution:

Resolved (with the concurrence of the House of Bishops), That notwithstanding the awful calamity to which the great city of the Northwest has been subjected, the wider-spread devastation by fire that has been visited upon the States of Wisconsin and Michigan, must not be overlooked, and that the appeal to our feelings of human brotherhood and Christian love from the suffering people of the wasted portions of those States, should meet with speedy re-

sponse in contributions for the supply of their necessities.

Resolved, secondly, That the members of this Convention will join in such contribution, each to the extent of his ability, and that each will commend to the good people of his home our poor friends of those sections who are now suffering the loss of the fruits of years of industry, and many of whom, in the midst of their privation of all the means of subsistence, have the added anxiety of mourning for their friends and relatives, suddenly summoned to their eternal account.

Resolved, thirdly, That in view of this awful visitation, the clergy and congregations of this Church through the United States, are invited to send any contributions they may give to Bishop Armitage, of Wisconsin, or Bishop McCoskry, of Michigan, by them to be sent to the Governors of these States, to be expended according to the best of their judgment in behalf of the sufferers, without regard to Church or nation or anything else save their destitution and misery.

The resolutions having been read—

The Rev. Dr. ADAMS, of Wisconsin. I will simply say that these resolutions were drawn up by Senator Carpenter of Wisconsin, from whom I have received the following letter:

WASHINGTON, D. C.

The Rev. Wm. Adams D.D., Delegate from Wisconsin to the General Convention of the Protestant Episcopal Church, Baltimore:

DEAR DOCTOR:—(I enclose you a resolution, as I promised). My latest advices from home are that from twelve to fifteen hundred lives have been lost, and immense destruction of property caused by the late fires.

Chicago is so conspicuous, even in its misfortunes, as to throw ordinary distress into the shade; and therefore less attention has been given to the sufferings of our people than otherwise would have been. I believe the adoption of this resolution by the Convention would tend to direct the public thought in the right direction.

I am your friend,

MATT. H. CARPENTER.

The resolutions were unanimously adopted.

MESSAGES FROM HOUSE OF BISHOPS.

A message (No. 44) was received from the House of Bishops, announcing that that House had accepted the resignation of the Right Rev. John Payne, D.D., of the Missionary Jurisdiction of Cape Palmas, Africa, and parts adjacent.

A message (No. 45) from the House of Bishops announced that that House concurred in the resolution communicated to the House of Bishops, in message No. 42, from the House of Clerical and Lay Deputies, adopting and enacting a "Canon of the time when new Canons shall take effect."

EPISCOPAL SUPERVISION.

The PRESIDENT. The first order of the day is the report of the Committee on Canons, on the memorials from Texas and California.

The resolution reported by the committee was read as follows:

Resolved (the House of Bishops concurring), That Clause 2 of Section 15 of Canon 13 of Title I., is hereby amended so as to read as follows:

"A diocese without a Bishop, or of which the Bishop is for the time under a disability by reason of a judicial sentence, or any part of a diocese in which the Bishop of such diocese, by reason of its extent, or other physical impediment, cannot in person duly exercise the functions of his office, may, by the act of the Convention of such diocese, and with the consent in the latter case of the Bishop thereof, be placed under the full Episcopal charge and authority of a Bishop of another diocese or of a Missionary Bishop, who shall thereupon be authorized to perform, within such diocese or such part of a diocese, all the duties and offices of the Bishop thereof, until such vacancy has been supplied or said disqualification has been removed, or until the act of such Convention has been revoked, and in the latter case, until the consent of the Bishop of such diocese has been also withdrawn. *Provided*, that in such last named case the Bishop or Missionary Bishop shall exercise such jurisdiction within the part of the diocese placed under his Episcopal charge as the act of the Diocesan Convention may prescribe."

The Rev. Dr. LYMAN, of California. It will be observed that this Canon has reference to the question brought before this House by the memorials from California and Texas, and it will be further noticed that this Canon does not reach to the extent that was desired in those memorials. This arises from the fact that a considerable number of the members of the Committee on Canons felt that any such enactment as was desired on our part would trench upon the Constitution of the Church. Now, while there are very many who do not agree in this opinion, and feel that there is no constitutional impediment whatever to the measure which we desire, that it is simply one of those questions as to which the Constitution is silent and which were not in contemplation when the Constitution was made. But yet, inasmuch as this feeling extends to a very considerable number of that committee, and would necessarily lead to a very considerable discussion, and as our time is so much limited, we are in hopes that the proposition now brought forward by the Committee on Canons will meet with general, if not full acceptance, on the part of this House.

While it does not give to us that measure of relief which is so imperatively demanded, yet there is a measure of relief which is thereby secured. It provides, you will observe, that a Bishop in a jurisdiction such as California or Texas, far beyond the possibility of any Bishop to meet the demands that are made upon him for the growth and extension of the Church may call in the aid of any Diocesan or Missionary Bishop to assist him in the work. At first blush, it might appear that this would be of no possible avail, because every Diocesan and Missionary Bishop is already so fully occupied that he would scarcely have the time or the opportunity to discharge any such duty, but I understand that it is in contemplation to make a division of some of our Missionary jurisdictions with a view of reaching this very difficulty, and it will be remembered that the House of Bishops sent to this House, on Saturday last, a modification of the Constitution which will make provision for this matter in the future.

In the mean time, I trust there will be a disposition on the part of the House to adopt this proposed Canon, and give us at once some measure of relief. I do not wish to occupy the time of the House, as we have only a few moments. I should like to speak further upon it; I should like to urge upon this House

the imperative necessity for such action; but we are so limited for time that I am willing to drop the matter, and only ask that there may be a vote taken on this proposition, which, I am sure, can scarcely meet with any opposition.

The resolution was agreed to.

BISHOPS OFFICIATING IN OTHER DIOCESES.

The Rev. Dr. HAIGHT, of New York. The Committee on Canons to whom was referred the subject of the alteration of Article IV. of the Constitution relating to the services of Bishops in different dioceses are prepared to report, and the Rev. Dr. Benedict, of the Committee on Canons, is requested to present the report.

The Rev. Dr. Benedict, of Georgia, submitted the following report:

The Committee on Canons, to whom was referred a resolution offered by Mr. Whittle, of Georgia, touching the amendment of Article IV. of the Constitution, have had the same under consideration, and recommend the adoption of the following resolution:

Resolved (the House of Bishops concurring), That Article IV. of the Constitution be amended by omitting the last seven words viz.: "by any Church destitute of a Bishop," and substituting the words "in another diocese and by the Ecclesiastical Authority thereof;" so that the Article shall read as follows:

Article IV. The Bishop or Bishops in every diocese shall be chosen agreeably to such rules as shall be fixed by the Convention of that diocese; and every Bishop of this Church shall confine the exercise of the Episcopal office to his proper diocese, unless requested to ordain, or confirm, or perform any other act of the Episcopal office in another diocese by the Ecclesiastical Authority thereof.

The report having been read—

The Rev. Dr. BENEDICT, of Georgia. It is simply to provide by a change in the letter of the Constitution what has for years been considered not contrary to its spirit,—the officiating of a Bishop, at the request of another Bishop, or of the Ecclesiastical Authority, in another diocese.

The Rev. Dr. BURR, of Ohio. I should like to make an inquiry in regard to this matter, of the Committee on Canons, whether it is intended to refer to distinctly Episcopal acts by the use of the word "officiating"?

The Rev. Dr. MEAD, of Connecticut. It refers to all.

The Rev. Dr. BURR, of Ohio. Is it intended to forbid the officiating of a Bishop in another diocese by acts other than Episcopal, such as preaching simply?

The Rev. Dr. MEAD, of Connecticut. Oh, no; it refers to Episcopal acts undoubtedly.

The Rev. Dr. BURR, of Ohio. I thought the Canon was rather loosely worded. The word "officiating" if it occurs may mislead. It misled me certainly.

The Rev. Dr. BENEDICT, of Georgia. If the gentleman from Ohio follows the reading of the Article which is proposed he will find that there is not the slightest change except that the last seven words are stricken out and this clause is inserted "in another diocese by the Ecclesiastical Authority thereof."

The question being put *viva voce*, the resolution was agreed to.

Mr. DEROSSET, of North Carolina. Can we take a vote on that question *viva voce*? It proposes an amendment of the Constitution, and I believe it is necessary that it should be done by a vote of dioceses and orders.

The Rev. Dr. MEAD, of Connecticut. The practice has been, at the initiation of any such proposition, to allow it to be adopted *viva voce*. Of course any deputation, either clerical or lay, has the right to call for a vote by dioceses and orders. When the final question comes up at the expiration of three years, the practice has been, and should be in such a solemn matter as the alteration of the Constitution, to take the vote by dioceses and orders, but not in the initiative proceeding.

The PRESIDENT. In this case it is a mere matter of form, proposing the alteration.

Mr. SMITH, of North Carolina. I suppose that even if a vote by dioceses and orders be required, it can be dispensed with by unanimous consent.

The PRESIDENT. If there be no objection, the Chair will put the question again, on the adoption of the resolution.

The resolution was adopted.

FRANCHISE OF MISSIONARY BISHOPS.

The Rev. Dr. Haight, of New York, from the Committee on Canons, submitted the following report:

The Committee on Canons who were "instructed to report such amendments to Art. X. of the Constitution, as shall make it consistent with [2] § VIII, Canon 13, Title I. of the Digest," and "to inquire whether further legislation be necessary touching the franchises of Missionary Bishops:"

Respectfully report that they have considered the subject referred to them, and are of opinion that there is no inconsistency between the Constitution and the Canon, and that, therefore, no amendment is necessary or expedient. Article X. of the Constitution relates to "Bishops for foreign countries," to be consecrated "on due application therefrom," a specific person being designated for the office, and duly chosen by the Church in such foreign country. The consent of the House of Clerical and Lay Deputies, or of the Standing Committees, is not required—nor are any particular forms of testimonials prescribed. It is sufficient that the approbation of a majority of the Bishops of this Church be signified to the Presiding Bishop, and that he be satisfied that the person designated for the office has been duly chosen, and [is] properly qualified. The Order of Consecration is not required to be that used in this Church, but is to be conformed thereto as nearly as may be in the judgment of the Bishops. Upon these "Bishops for foreign countries" are imposed certain disabilities. They "shall not be eligible to the office of "Diocesan, or assistant Bishop in any Diocese in the United States, nor be entitled to a seat in the House of Bishops, nor exercise any Episcopal authority in said States."

This article of the Constitution has never been acted upon. On the other hand § VIII. of Canon 13 of Title I. relates to "Foreign Missionary Bishops" nominated by the House of Bishops, and elected by the House of Clerical and Lay Deputies. The same testimonials are required as in the case of other Bishops from the House of Deputies. They are consecrated according to the form used in this Church, without modification. Upon these Foreign Missionary Bishops some disabilities are also imposed, but they are entitled to a seat in the House of Bishops, and may, under certain restrictions, become Diocesan Bishops.

These two classes of Bishops are referred to and recognized as distinct in § I. of Canon 10 of Title I. where may be found certain regulations in regard to clergymen ordained "by a foreign Bishop in communion with this Church, or by a Bishop consecrated for a foreign country under Article X. of the Constitution, or by a Missionary Bishop elected to exercise Episcopal functions in any place or places out of the United States."

The Committee, therefore, conclude that the supposed inconsistency between the Constitution and the Canon in the matter referred to is founded upon a misapprehension of the meaning of the Constitution, and a confusion in the minds of those who have not sufficiently examined the subject between "Bishops for foreign countries," and "Foreign Missionary Bishops." Under the hope that the explanation above given may remove misapprehension and prevent such confusion for the future, the Committee think no action necessary or expedient, and they recommend the passage of the following resolution:

Resolved, That the Committee on Canons be discharged from the consideration of the subject of a supposed inconsistency between Article X of the Constitution, and § VIII. of Canon 13 Title I. and of the necessity of further legislation touching the franchises of Missionary Bishops.

By order of the Committee,

WM. COOPER MEAD, *Chairman*.

The resolution was adopted.

RELATION OF BOARD OF MISSIONS TO CONVENTION.

The Rev. Dr. Haight, of New York, submitted the following report:

The Committee on Canons, to whom was referred a resolution requesting them to report upon the relation of the Board of Missions to the General Convention, and the expediency of instructing the Secretary of the House of Clerical and Lay Deputies to show that relation by publication with the Constitution and Canons of this Church, respectfully report that they have considered the subject referred to them, and recommend the adoption of the following Canon.

CANON

Of the Board of Missions.

§ I. [1.] It shall be the duty of the General Convention, at every Triennial meeting, on nomination by a Joint Committee of the two Houses designated for that purpose, to appoint a Board of Missions, for the management of the General Missions, Foreign and Domestic, of this Church.

[2.] All the Bishops of this Church shall be *ex officio* members of said Board. The elective members shall be selected from the presbyters and laymen of the several organized dioceses of this Church, in such numerical proposition as shall from time to time be determined.

§ II. The Board of Missions may adopt a Constitution, and modify the same as occasion shall require; *Provided*, That such Constitution and amendments shall be of no force until the same shall have been submitted to and approved by the General Convention.

§ III. At every Triennial Convention, the Board of Missions shall make report of its doings to the General Convention.

By order of the Committee,

WM. COOPER MEAD, *Chairman*.

The Rev. Dr. HAIGHT, of New York. I move the adoption of the Canon.

The motion was agreed to.

STATISTICS OF BAPTIZED MEMBERS.

The Rev. Dr. Haight, of New York, submitted the following report:

The Committee on Canons, to whom was referred the question of the expediency of amending Section I of Canon 15 of Title I., by inserting in the 10th line after the words "number of" the words "baptized members and of," respectfully report that such amendment would in their opinion be inexpedient, and recommend the adoption of the following resolution:

Resolved, That the Committee on Canons be discharged from the further consideration of Canon 15, Title I. By order of the Committee,

WM. COOPER MEAD,

Chairman.

The report having been read—

The Rev. Dr. HAIGHT, of New York. One word of explanation. The committee, after carefully considering the subject, came to the conclusion, that the amendment would be inexpedient, for this reason among others: One object of the proposed amendment was to present from time to time to the Church, and to the world the statistics of this Church, and it would go out that this Church had so many members; but when you came to make a comparison of the statistics of this Church with the statistics of other bodies, who take another standard of membership, the far greater number in proportion of members of this Church, would strike everybody and it would lead at once to an imputation of very great unfairness in the mode of presenting our statistics to the world. That is one consideration, which had great weight with the committee.

The Rev. Dr. McNAMARA, of Nebraska. Would it be inconsistent with that report to have the formula of statistics of our Congregations, such as the Chairman of the Committee on the State of the Church reported. Cannot we have a formula showing our strength in the United States, without amending the Constitution?

The Rev. Dr. HAIGHT, of New York. No amendment of the Constitution is required. The committee simply say, that in their judgment the introduction of the words "baptized members of" is inexpedient.

Mr. RUGGLES, of New York. I ask to have the report lie on the table for the present.

The Rev. Dr. HAIGHT, of New York. It will lie on the table anyhow, if there is to be any discussion.

Mr. RUGGLES, of New York. There is one very strong reason, why the number of baptized members should be ascertained, and that is, in case there should be any controversy between dioceses in regard to property, that is the only way in which the civil courts can determine the ownership of property.

The report was laid on the table.

RECORDS OF CONSECRATION OF BISHOPS.

The Rev. Dr. Haight, of New York, submitted the following report:

The Committee on Canons, to whom was referred message No. 23, from the House of Bishops, respectfully report:

That the message above mentioned contains the action of the House of Bishops, in amending Section

2, of Canon 1, of Title III., relating to the records of the Consecration of Bishops, but is not in the form required by Canon 2 of Title IV. The committee, therefore, recommend the adoption of the following resolution, which is virtually a concurrence with the action of the House of Bishops, but conforms to the provisions of the Canon.

Resolved (the House of Bishops concurring), That Clause 3 of Section 2 of Canon 1 of Title III., is hereby amended so as to read as follows :

"[3]. It shall be the duty of the said Registrar, to procure a proper and sufficient book of record, and to enter therein a record of the consecrations of all the Bishops of this Church, designating accurately the time and place of the same, with the names of the consecrating Bishops, and of others present and assisting ; to have the same authenticated in the fullest manner now practicable ; and to take care for the similar record and authentication of all future consecrations in this Church, by securing in person, or by deputy, at the time and place of every such consecration, the signatures of at least three of the consecrating Bishops in the said Book of Record."

By order of the Committee,

WM. COOPER MEAD,

Chairman.

The resolution was adopted.

RESTORATION TO THE MINISTRY.

The Rev. Dr. HAIGHT, of New York. I have a report on the subject of restoration to the ministry. It is a very large subject, and will undoubtedly lead to discussion; but as my friend (Dr. Vinton) who has charge of this matter is not here I will not now present it.

COURT OF APPEAL.

Mr. SHEFFEY, of Virginia. I ask my friend to remember that the Committee on Canons instructed the chairman of the committee, or myself as his substitute, to call up the question of Court of Appeals, and propose a substitute for the report formerly made on that subject. It was unanimously recommended by the Committee on Canons. If it be the pleasure of the House, with the consent of the chairman, I will execute that portion of the order of the Committee on Canons.

The Rev. Dr. HAIGHT, of New York. We withdraw our previous report, and receive that.

Mr. SHEFFEY, of Virginia. The Committee on Canons recommended the adoption of a resolution that it was inexpedient to propose an amendment to the Constitution, for the purpose of establishing a Court of Appeals. The Committee on Canons have, however, instructed me to propose, by way of substitute for the resolution submitted for the adoption of the House, the following project for a limited Court of Appeals:

Resolved (the House of Bishops concurring), That the following alteration of Article VI of the Constitution be proposed and recommended, to wit: After the word "Diocese," in the 5th line of said article, insert the following:

"*Provided*, That the General Convention may establish a Court, which shall have jurisdiction upon appeal from decisions of diocesan courts, to hear and determine questions concerning the regularity of proceedings in diocesan courts; the ritual of the Church; the interpretation of the Constitution; and the construction and constitutionality of the Canons of the General Convention; but not to hear and determine questions of doctrine."

As amended, the sixth article will read as follows:

"Article VI. The mode of trying Bishops shall be provided by the General Convention. The Court appointed for that purpose shall be composed of Bishops only. In every diocese the mode of trying Presbyters and Deacons may be instituted by the Convention of the diocese, *Provided*, That the General Convention may establish a court which shall have jurisdiction, upon appeal from decisions of diocesan courts, to hear and determine questions concerning the regularity of proceedings in diocesan courts; the Ritual of the Church; the interpretation of the Constitution; and the construction and constitutionality of the Canons of the General Convention; but not to hear and determine questions of doctrine. None but a Bishop shall pronounce sentence of admonition, suspension, or degradation from the Ministry on any Clergyman, whether Bishop, Presbyter, or Deacon."

The second resolution reported by the committee is as follows :

Resolved (the House of Bishops concurring), That the aforesaid proposed alteration of the Constitution be made known to the several Diocesan Conventions by the Secretary of the House of Clerical and Lay Deputies, in the manner prescribed by Section 3, Canon 1., Title III. of the Digest, and likewise by sending a copy to the Secretary of each Diocesan Convention, and with the further request that every such Diocesan Convention take formal action upon the proposed alteration and certify to the next General Convention its opinion as to the expediency of adopting the same.

It will be perceived by the House that this is a compromise adjustment of conflicting opinions on the subject of a Court of Appeal, and that the limited power of this Court provided for in the proposed amendment of the Constitution will remove that class of difficulties which would result from decisions on doctrine which would inevitably agitate and convulse the Church.

The next important particular of this recommendation is this : it has been usual simply to comply in a naked, formal manner with that provision of the Constitution, Article IX., which requires that proposed alterations in the Constitution shall be made known to the Diocesan Conventions ; but inasmuch as this is a matter deeply concerning the entire Church, and the utmost deliberation and caution should be used in initiating such a tribunal, the committee deemed it of consequence, aye of imposing importance, to send down to Diocesan Conventions a formal and an earnest request that they would severally express their opinion as to the expediency of adopting such a tribunal. Those of us who were on principle opposed to such tribunals as a general proposition were perfectly willing, in deference to the great diocesan principles that lie at the foundation of our Church organization, to agree that if the dioceses of this Church should believe that the great interests of the Church required such a tribunal, it would be not only our duty but our pleasure to waive personal objections and acquiesce in that judgment and determination. Hence, we have formally requested a special consideration of this subject by the Diocesan Conventions, and a formal certificate from those conventions as to their opinion on the proposed alteration, and that it should not pass, as alterations do, *sub silentio*, without any special message sent up by the great constituent body whom we here represent to guide our action and determination on these grave questions.

I will state to members that this recommendation is the result of the unanimous concurrence of the Com-

mittee on Canons. I move that the resolutions be adopted by the House.

Mr. HUNTINGTON, of Connecticut. Before the vote is taken I should like to ask the gentleman a question upon the subject. If amendments to the Constitution go down to the dioceses and are approved by them and sent back here, very often, under such circumstances, questions of amendment arise, and they are passed over and may be passed over for three years longer. I would ask whether the committee took into consideration the constituency of this court, whether it was to be a mixed court, clerical and lay, or clerical entirely, or lay entirely. It strikes me that it is desirable here to decide what the character of the court shall be in that particular.

Mr. SHEFFEY, of Virginia. I will answer the question of the gentleman from Connecticut, if it be the pleasure of the House. The committee did not deem that it was proper, in the organic law, to determine what should be the constituent elements of the court. The question for consideration is, Shall there be a court to take cognizance of these three classes of cases: first, irregularity in the proceedings of the diocesan courts; secondly, the Ritual of the Church; thirdly, the constitutionality and construction of the laws of the Church. As to the organization of the court, that will depend upon the judgment, necessarily, of the legislative body. It would be almost impossible for us now to determine in advance, what kind of a court should be proposed for adoption by the next General Convention, under the advice of the Diocesan Conventions. And I hold that it is a fundamental principle, in respect to constitutional law, that it should contain naked powers, stripped of embarrassing details. I therefore reply that the committee did not deem it expedient to engraft upon the Constitution the details with regard to the structure or organization of this court.

The PRESIDENT. The time for the order of the day, fixed for half after ten, has arrived, and this subject must necessarily be passed over.

Mr. FORSYTH, of Albany. In connection with the question just submitted by the gentleman from Virginia, it was understood that the subject of the Federate Council of the State of New York, should be taken up.

The PRESIDENT. There is another order of the day for this hour. The order of the day for half past ten o'clock is the resolution reported by the Committee on Canons on proposed changes of Article 5 of the Constitution.

CREATION OF NEW DIOCESES.

The Secretary read the resolution reported by the Committee on Canons, as follows:

Resolved (the House of Bishops concurring), That the alteration of Article V. of the Constitution proposed at the last General Convention, and made known to the several Diocesan Conventions, and printed on page 136 of the Journal of the last General Convention, be, and the same is hereby, finally agreed to and ratified as provided in Article IX. of the Constitution.

Mr. CRAIGHEAD, of Tennessee. Is there any report as to the number of dioceses who have affirmed that?

The PRESIDENT. No, sir. It is not necessary that there should be.

The SECRETARY. I sent official ratification to every ecclesiastical authority, and to the secretary of every Diocesan Convention in this country,

and have received a report from a majority of them that the same have been received and laid before the Diocesan Conventions.

The Rev. Dr. ANDREWS, of Virginia. What will be the result of this change of Constitution?

The Rev. Dr. HAIGHT, of New York. It will be found on page 136 of the Journal of 1868.

The Rev. Dr. ANDREWS, of Virginia. There are so many new principles that I think the Secretary had better state it.

The SECRETARY read from page 136 of the Journal of the last Convention as follows:

Resolved, That Article 5 of the Constitution be amended so as to read as following, viz.:

A Protestant Episcopal Church in any of the United States, or any territory thereof, not now represented, may, at any time hereafter, be admitted on acceding to this Constitution; and a new diocese, to be formed from one or more existing dioceses, may be admitted under the following restrictions, viz.:

No new diocese shall be formed or erected within the limits of any other diocese, nor shall any diocese be formed by the junction of two or more dioceses, or parts of dioceses, unless with the consent of the Bishop and Convention of each of the dioceses concerned, as well as of the General Convention, and such consent shall not be given by the General Convention until it has satisfactory assurance of a suitable provision for the support of the Episcopate in the contemplated new diocese.

No such new diocese shall be formed which shall contain less than six parishes, or less than six presbyters who have been for at least one year canonically resident within the bounds of such new diocese, regularly settled in a parish or congregation, and qualified to vote for a Bishop. Nor shall such new diocese be formed if thereby any existing diocese shall be so reduced as to contain less than twelve parishes, or less than twelve presbyters who have been residing therein and settled and qualified as above mentioned: provided that no city shall form more than one diocese.

In case one diocese shall be divided into two or more dioceses, the Diocesan of the diocese divided may elect the one to which he will be attached, and shall thereupon become the Diocesan thereof, and the assistant Bishop, if there be one, may elect the one to which he will be attached: and if it be not the one elected by the Bishop he shall be the Diocesan thereof.

Whenever the division of a diocese into two or more dioceses shall be ratified by the General Convention, each of the dioceses shall be subject to the Constitution and Canons of the dioceses so divided, except as local circumstances may prevent, until the same may be altered in either diocese by the Convention thereof. And whenever a diocese shall be formed out of two or more existing dioceses, the new diocese shall be subject to the Constitution and Canons of that one of the said existing dioceses to which the greater number of clergymen shall have belonged prior to the erection of such new diocese, until the same may be altered by the Convention of the new diocese.

The Rev. Dr. ANDREWS, of Virginia. It is possible, under that change, that every eighteen clergymen may have two Bishops.

The Rev. Dr. HAIGHT, of New York. Oh, no. There are some important restrictions.

Mr. FAIRBANKS, of Tennessee. I shall vote for that amendment of the Constitution; but, in voting for it, I do not wish to conclude myself from action hereafter to remove from it a very vicious principle, as I conceive, which has been added to it, to wit: that of requiring a pecuniary compensation to enter into the question whether a part of the country that shall require a new diocese shall or shall not have it. However, I consider this better than the old article, and hoping that we may remove that from it hereafter, I shall vote for it now.

The PRESIDENT. The vote must be taken on the adoption of this amendment to Article 5, by dioceses and orders, and the Secretary will call the roll.

The question being taken, the resolution was adopted by the following vote:

Clergy—40 dioceses voting; 31 ayes, 7 nays, 2 divided.

Laity—36 dioceses voting; 28 ayes, 6 nays, 2 divided.

ITALIAN CHURCH REFORM.

The PRESIDENT. The hour for the order of the day, fixed for eleven o'clock, has arrived, being the consideration of the report of the Committee on Italian Reform. The Secretary will read that report.

The SECRETARY read the report as follows:

The Joint Committee appointed by the last General Convention "to collect and diffuse information relative to the movement in Italy, looking toward the Reformation of the Church therein," respectfully report: That in November, 1869, they assented to the formation of a Commission, consisting of Presbyters and Laymen, in this country, who should assist them in prosecuting the objects of their appointment.

That Commission consists of the Rt. Rev. A. C. Coxe, D.D., Bishop of Western New York, Honorary President; the Rev. Noah Hunt Schenck, D.D., Chairman; the Rt. Rev. Frederick D. Huntington, D.D.; the Revs. Benjamin I. Haight, D.D.; George Leeds, D.D.; William F. Morgan, D.D.; Henry C. Potter, D.D.; Eugene A. Hoffman, D.D.; Thomas K. Conrad, D.D.; Benjamin H. Paddock, D.D.; Charles H. Hall, D.D.; William Chauncy Langdon; J. Andrews Harris; Charles R. Hale, and Messrs. Frederick S. Winston, Henry Chauncey, George D. Morgan, William M. Goodrich, James S. Mackie, Thomas Messenger, Ernesto G. Fabbri, S. K. Ashton, M.D., Samuel J. Wyman, Charles Morton Stewart.

The Committee express their deep sense of obligation to these Brethren for the energy and earnestness with which they have pursued their work, and their gratitude to God for the measure of success which He has vouchsafed to them.

They moreover avail themselves of the Report of this Commission, and adopt it as presenting the results of their endeavor to accomplish the objects for which they were appointed:

REPORT OF THE COMMISSION.

"The Italian Church Reformation Commission, organized under the Counsel of the Joint Commit-

tee on Italian Reform, and the sanction of a resolution of the last General Convention, deem it proper at the expiration of their trust, to submit to the Joint Committee the following report:

"It has been the singular privilege of the Commission to hold this trust during one of the most critical and eventful periods of ecclesiastical history. The patient, far-sighted, and deep-laid plans of the Roman Court to recover the power which was passing away from the Papacy, and indeed to establish an ecclesiastical dominion more absolute and comprehensive than was ever aimed at even in the Middle Ages, have reached their maturity during the three years past and their crisis in the Council of the Vatican and the Franco-German war.

The political consequences of the dogma of Papal infallibility to which the governments and peoples of Europe were at last aroused, alienated from the Papacy the political influence which might otherwise have held Italy in check. The war relieved her from the danger of French interference; and the completion of her national unity involved the overthrow of the temporal Papacy. The law of the Papal Guarantees, which necessarily followed this first great step serves the provisional purpose of satisfying the politico-ecclesiastical interests of Europe, so far as they yet continue to be identified with the Papacy. At the same time, when carefully considered, it seems to contain the elements of future conflicts, which may bring about important changes touching the spiritual power of the Papacy.

"Meanwhile, the same dogma has aroused a theological and religious resistance still more unexpected. The example of the learned Dollinger has been followed by many others. The principles set forth in the Declaration published at Munich, with thirty signatures of leading theologians, and some of the first civilians of Germany, have already spread wherever the German tongue is spoken, and have enlisted the warmest interest elsewhere, especially in Italy and Hungary. It is probable that, sooner or later, the reforming ecclesiastics and laity of both these countries will openly espouse this movement. It already has their deepest sympathy. Alike in Germany and in Italy, it proposes the thorough reformation of the Latin Church, upon principles which are substantially analogous to those of the Anglican Reformation. So far as relates to discipline and to civil status, it is yet more closely conformed to ideas of which our own Church is the only practical illustration.

"The specific reforms already proposed include the free circulation and study of the Scriptures, the use in worship of the vulgar tongue, the revival of an elective Episcopate, the synodical government of dioceses and provinces, the organic participation of the laity in both, lay administration of ecclesiastical property, the abolition of the worship of the saints and of images and relics, the revision of the cultus of the Virgin, the abolition of compulsory clerical celibacy and enforced confession, and, in short, very much the same programme which we have heretofore reported as that of the Italian Reformers. At a meeting of the German leaders lately held at Heidelberg, it seems to have been generally agreed that an entire separation

from a Papacy claiming infallibility was inevitable. One of the most widely known of these leaders afterward wrote to Mr. Langdon that 'the simple opposition to the decree of the 18th July, 1870, has already become an antiquated standpoint. We desire,' continued he, 'the purification of the Church from all unchristian elements.'

"A general Congress of the *Alt-Katholiken*, or Catholic Reformers, has been held in Munich within the past few days. The official invitation for this Congress, declared that 'the reform movement within the bosom of the Catholic Church makes continual progress;' that 'everywhere the desire of restoring the Church to its primitive spirit is manifested.'

"The action of this Conference is now known to have given the fullest justification to these statements; and very significant to us is its reported action:

"We declare that the reproach of Jansenism against the Utrecht Church is causeless; there is no dogmatic difference between her and ourselves. We hope for reunion with the Oriental-Greek and with the Russian Churches, whose separation was without absolute cause, and is based upon no irreconcilable dogmatic difference. We expect in the assumption of the reforms we attempt, and in the way of science and of progressing Christian knowledge, a gradual understanding with the Protestant and Episcopal Churches.'

"The Commission entered from the first into the results of the prior labors of the Joint Committee.

"The Rev. W. C. Langdon, the former Secretary of the Committee, became now the Foreign Secretary of the Commission, and was sent back to Florence in that capacity.

"The work of the Committee itself has chiefly consisted in sustaining him in his labors, and communicating to the Church, from time to time, the information obtained by them from him and other sources.

"The Rt. Rev. the Bishop of Western New York, and the Rev. Dr. (now Bishop) Pinkney, have visited Italy, and taken pains to inform themselves upon this subject. Other careful observers, both clerical and lay, (among whom may be mentioned the Rev. Albert Z. Gray and Prof. Francis Philip Nash, who have been long resident in Italy) have made investigations, and furnished the details of them, which have entirely confirmed their Secretary's own reports. Many letters of the same character from eminent English Churchmen, and from eminent Americans not of our Church, are in the hands of the Commission; and the Secretary's private correspondence with distinguished Italian civilians and leading Italian, German, and French Reformers, as well as the repeated public testimony of the Italian press, are before the Committee to speak for themselves, and to furnish irrefragable ground for the statements of this report.

"For the first two years of his reappointment, Mr. Langdon continued in the prosecution of his work as formerly under the Joint Committee. His usefulness and his opportunities were, however, greatly enlarged, especially after the opening of the Vatican Council. The death of that valuable man, Dr. Bianciardi, the editor of the *Esaminatore*, which took place before Mr. Langdon returned to

Florence, deprived the latter of his most important friend, as well as the reform movement of its principal human reliance. But the result was to draw our Secretary into even more intimate relations with those ecclesiastics whom he had formerly known chiefly through Dr. Bianciardi. That Mr. Langdon was of great service to the cause of Italian reform in this stage, especially in connection with the *Esaminatore* and the *Libreria Rosmini*, is confirmed by other facts to which public reference cannot properly be made.

"The events of the summer and autumn of 1870 opened to the foreign secretary new spheres of usefulness. Heretofore, the *Esaminatore* had been a necessity to the Reformers, because the secular press regarded ecclesiastical and religious questions as beneath their notice; and the *Libreria Rosmini* was equally necessary for the publication and sale of pamphlets and other writings in the interest of reform, because such publications were not, at that time, considered worthy the attention of the trade.

"The Vatican Council produced favorable changes in these respects; and with the occupation of the city of Rome ecclesiastical and religious questions rapidly became the great political questions of the day.

"Leading booksellers eagerly sought, and placed such publications on sale: and the secular press everywhere entered earnestly into the discussion of topics which were now universally felt to be of pressing importance.

"In these circumstances, our secretary soon became a welcome contributor to the Florence secular press, and communications were received by them from him with cordiality. These were discussed by other papers, and in political circles, in a manner which gave evidence alike of their timely character and of the value placed upon them. He has received, in correspondence, and through the press, evidence that these communications threw light upon some of the most difficult questions of the day, and were gratefully accepted. Our secretary had also the privilege of forming the acquaintance of several laymen of political eminence; and the Commission have had reason to believe that his personal intercourse in such circles has been as serviceable as it should be gratifying to the Church.

"The Commission has sought to gather materials for a just and thorough knowledge of the true religious state and tendencies of the Italian mind, especially of its priesthood and influential classes, and of the present, and probable future, of the Italian Church.

"They have sought to give to the Italian Reformers more correct views of our Church, to remove misconceptions and prejudices, and to show them how nearly it supplies an example of genuine catholic reformation.

"Further, they have labored to suggest the solution, which we believe the history, polity, and principles of our own Church furnish, for some of the most perplexing, and yet important, questions which Italian statesmanship is now called upon to solve.

"They have sought to aid the Reformers, so far as they were willing and desirous of such aid, in carrying out their own work in their own way, whenever it involved nothing inconsistent with the principles of our Church.

"And finally, they have sought to cultivate good feeling and Christian cordiality with such men, ecclesiastics or civilians, and to secure their confidence in the Church which is represented by the Commission.

"The Commission have reason to believe that the catholic spirit of the Anglican Churches, and especially of our own, are understood in Italy as they never have been understood before, and this knowledge may be said to have gained for us a certain moral influence in the present and future development of ecclesiastical affairs in that land.

"It would seem that God has assigned to Germany and Italy, united as they now are in political interest, and, as they are said to be in a political alliance, a joint instrumentality in preparing the future of the Churches of Europe.

"To *Italy* seems to be assigned the continuance of the work already begun, and some further modification of the character and position of that Roman Papacy which has been so long the fruitful source of divisions and the insurmountable barrier to reform. To *Germany* seems to be assigned the lead in the reformation of the Church thus liberated. And the reformers of Italy and Germany alike dwell upon such a reformation as the means whereby the restoration of the unity of Christendom will become possible, for they frankly declare their conviction, 'in the words of a Declaration already spoken of, that by means of a thorough Catholic reformation of the Church, and not by the Vatican decrees, they shall approach the highest object of Christian development, the union of the heretofore separated Christian fellowships, a union longed for and promised by the Founder of the Church, and which is coveted and prayed for, with ever increasing longing, by multitudes.'

"A letter from Prof. Huber, of Munich, to Mr. Langdon, was, by permission, published in the *Italia Nuova*, of Florence, of July 14th, and several other letters have been received which will sufficiently show the position among these men which Mr. Langdon occupies as representing this Church.

"The Commission has received from their Foreign Secretary and has published three annual, and sundry special reports; a sub-committee of their body has also published, in Florence, a pamphlet upon the subject of this Reform Movement.

"To these several pamphlets, copies of which are herewith submitted, the Committee refer for further detail, but do not propose that they shall be published as a part of this report.

"The facts thus revealed, justify the following conclusions, viz.:

"That, as the providence of God in the events of the last two years has brought His whole Church to a crisis in her history, so the labors of this Commission have served to inaugurate, and give partial

shape to, a department of Church work entirely distinct from that committed to any of the present regular agencies of the Church. This work is that of bearing witness, in a loving and faithful spirit, to our history and our principles, as a distinctive part of Christ's Holy Catholic Church, among Christian communities and peoples with whom we are not at present in visible communion; endeavoring to give effect to the injunction of the Apostle that there should 'be no schism in the body; but the members should have the same care one of another.'

"That the prosecution of this work is our preparation, as God opens the way, to take our part in the restoration of Christian unity.

"That the results of our mission thus far constitute a call to our Church to continue in the discharge of this duty, soberly, reverently, faithfully, and in a large-hearted spirit commensurate with its solemnity.

"Assuming, in conclusion, that the official existence of the commission will terminate with that of the Joint Committee, this, their report is respectfully submitted.

A. CLEVELAND COXE, Bishop of W. New York,
Honorary Chairman.

NOAH HUNT SCHENCK,
Chairman of Italian Church Reform Commission.

THOMAS K. CONRAD, *Home Secretary.*

The Committee add that since the meeting of this Convention, a letter has been received from a distinguished civilian at present and for many years resident in Italy, expressing his sense of the value of the Rev. Mr. Langdon's services, and the desirableness of his return and the continuance of his labors.

They content themselves, in conclusion, with expressing their own convictions on the subject in the following resolutions, to wit:

Resolved (the House of Clerical and Lay Deputies consenting), That we again commend to the Church the great cause of religious reform in Italy, and especially the interesting and effective work which is now being done in that kingdom by the Foreign Secretary of the Commission, the Rev. Wm. Chauncy Langdon, during the past three years.

We commend his zeal and discretion, and rejoice in his marked success in communicating to our Brethren in Christ, within the Church in Italy, a knowledge of the condition and circumstances of our branch of the Catholic Church, and our sympathy with them in the trials of their faith and patience.

We ask the sympathy and co-operation of the Church in behalf of his important labors.

Resolved, That the Joint Committee on Religious Reform in Italy be continued, and be so constituted as to consist of twelve members: four Bishops, four Presbyters, and four Laymen, with power to fill all vacancies occurring in their number.

Resolved, That the Joint Committee thus appointed be empowered to nominate a Commission of

Presbyters and Laymen to assist them in discharging their duties.

WM. ROLLINSON WHITTINGHAM,

G. T. BEDELL.

WILLIAM BACON STEVENS,

F. D. HUNTINGTON,

BENJAMIN I. HAIGHT.

The resolutions contained in the report were agreed to.

The PRESIDENT. I now introduce to the Convention the Very Reverend the Dean of Chester, Dr. Howson, who has kindly consented to address the Convention on this subject of Italian reform.

The Rev. Dr. HOWSON. Mr. President and my brethren of the clergy and laity: I came to America for the purpose of learning, not in order to assume the position of a teacher. I came to listen patiently as I have listened repeatedly here, not to occupy the precious time of the Convention in this place by any speaking of my own; but I feel that I should be both disrespectful and ungrateful to this Convention if I were not at once to respond to the invitation which I have had the honor of receiving, and to lay before you such information as I have been able to obtain and such opinions as I have formed in reference to the subject which was treated in the report you have heard.

In one respect I am placed in a considerable difficulty, for I am merely asked in general terms to speak on the subject of Italian Church reform. But in another respect I am relieved from any difficulty. Just as when I had the honor of addressing the Board of Missions on Woman's Work, I was allowed to be silent until their deliberations were concluded, and then to speak in perfect independence as an Englishman after they had reached a definite point; so, now, your business is concluded, and I have an opportunity of laying before you such thoughts and facts as I hope may be useful on the one hand, without being at all implicated in discussions which have been concluded, and, on the other, without impeding any of you in the expression of your opinions in regard to a matter which belongs to your own jurisdiction. I suppose my best plan will be to take in order two or three possible objections to the course recommended in this report and to deal with these objections one by one.

It might be asked, in the first place, "What has the American Church to do with Italy? Why may it not attend to its own concerns, which are sufficiently important and very various, and why not leave Italy to do its own business in its own way?" I venture to say that the thought expressed in that objection is not a very Christian sentiment. It certainly is no part of the business of this Church to form separate congregations of Italians in that country; but for this Church to be out of sympathy, and not to make any expression of active sympathy with a movement for Church reform in that country, would be to be unfaithful to its own position and traditions; and, in fact, speaking of the

Church of England and of this American Church as one Church (and I never can use any other language), I think we are the very Church that ought to take an active and public interest in this matter, because to use the phrase which has been employed by one of our most popular writers and one of our keenest critics, Mr. Matthew Arnold, we are an historical Church, and therefore we have an advantage in dealing with this subject and a probability of finding acceptance with the Italians, which cannot belong to any Church of merely modern origin.

Now, I turn to the second objection which occurs to me as possible: "Why should the American branch of this Church occupy itself with this business? It is separated by the whole breadth of the Atlantic, and more than the breadth of the Atlantic, from Italy, whereas the Church of England is very near, and the relations between Italy and England have been frequent in ages past." I presume to say that this is the very reason why the Church of England is not so fit as the Church of America to deal with this question. The very fact that we have been entangled in a great many European questions, religious and diplomatic, for a great many years, exposes us to a certain degree of suspicion which does not belong to you. The fact of your independence, and the great distance at which you stand from Italy seem to mark out this branch of our united Church as the most suitable to deal with this question.

But more than this, there is a popular saying which has obtained currency from Count Cavour, which speaks of a "free Church in a free State." Now, whatever that sentence may mean—and it is not always easy to know what it does mean—and whatever may be the disadvantages of a free Church in a free State—and I imagine that there are disadvantages as well as the advantages, which I most heartily and fully recognize—still, this thing you have more than any other nation in the world. You, possessed of a free Church in a free State, are more likely to be listened to in Italy than we with our hereditary entanglements, whether they be good or whether they be bad.

Besides this, you have a free and full representation of the laity in this Church, and, as I shall have occasion to remark presently, this will make you far more acceptable than any Church where the representation of the laity is in a *quasi* political form. I need not add that the number of travellers from America to Italy is very large and continually increasing, and through these your fellow-countrymen who go there, you may expect to exercise a beneficial influence on that country, and to obtain a large amount of information regarding Italy which we in England might not possibly obtain so fully.

Now, there suggests itself to my mind a further objection, which might occur to some others: What is the real hope of doing any good? Assuming that we ought to take a great interest in this matter, assuming that this Church is the proper organization for such efforts, what fair reason have we for expecting that any good will result from these care-

ful and continued inquiries and from the action of your Committee? Here I come to facts which have come before my notice. I was in Italy in 1863, and again in 1864, and on both occasions I had considerable opportunities of becoming acquainted with currents of opinion, in various classes of society, in regard to this question. Again I was in Italy in 1869 and in 1870. In both years I was in frequent communication and co-operation with my friend Mr. Langdon, who represented you in Italy in regard to this subject.

Now, to state briefly the facts which came to my notice; those facts relate chiefly to certain states of mind. I found thoughtful and devout men very desirous that there should be a substitution of Biblical training in the seminaries for the clergy, in place of the scholastical training which has now complete possession of those institutions. Again, I found parish priests extremely anxious about the circulation of the Bible, without stint, among their people. I heard it said that the worship of St. Mary had crushed out the worship of Christ.—I remember very well an Italian layman saying to me, "I first obtained my knowledge of the worst moral evils through the confessional." And, my dear friends of the clergy and laity, allow me here to step aside for one moment to lay stress upon this point. I suppose there may be some in this country, as there are in ours, who are expecting considerable religious benefits from the renewal of the systematic use of the confessional. All I would respectfully say is this, that in the natural world it often happens that in the early spring a plant is very fair and very attractive, which in the autumn bears dangerous and even poisonous fruit. The confessional in England and in America comes before us in its early alluring stages, and I do not at all doubt that great benefit is received by many a doubting, tempted spirit, through a close and confidential communication with a clergyman; but, when we have the systematic confessional combined with strong sacerdotal claims, then I cannot help believing that the legitimate and certain result in a certain number of years will be the dreadful state of things of which I became conscious in Italy, where the chasm between the laity and the clergy, very largely from this cause, is one of the most serious and alarming facts of the time.

Allusion has been made in the report to the objections felt to the compulsory celibacy of the clergy. The clergy with whom I spoke, and these were not political agitators but serious and thoughtful men, always expressed themselves with great delicacy on this subject and so did I in conversing with them, but throughout the lay mind in Italy there is a very wide and deep conviction that this compulsion laid upon the clergy in the cause of a great deal of irreligion and of moral harm.

I need not here allude to the feeling about the temporal power. The sense that the temporal power was the great enemy of Italian nationality pervaded all classes, with only the exception of the extreme ultramontanes.

As regards the Papal infallibility, I was in Italy before the Vatican Council and no reference need be made to that point at this present moment. I will add that I had conversations with priests in country parishes. I was, combined with Mr. Langdon, in prolonged discussions with considerable numbers of priests in large cities; and the general impression left upon my mind was this, that both among clergy and laity, especially among the laity, there was then (in 1869 and 1870) a very widely extended aspiration for a Church Constitution, something very like what you possess; and the great desire was that the laity should be emancipated from the tyranny of the clergy, that the clergy should be emancipated from the tyranny of the bishops, and that the bishops should be emancipated from the crushing tyranny of the Pope. In other words, the great desire was for diocesan councils with clergy freely elected, Bishops freely elected, and with the laity occupying those just rights which these, my informants, conceived to belong to them in regard to all the affairs of the Church of Christ.

I hold in my hand two Italian pamphlets written by a layman of great ability, a serious man, by no means a loose thinker in matters of religion; one is on the Present and Future of Catholicism, written a little before the Council; another is on the Papal Infallibility in respect to modern governments, and especially Italy, since the Council. I know him personally and I merely refer to them as specimens, and very forcible specimens, of a state of opinion of which I become cognizant on many occasions.

It may be asked what form should your—I will not call it intervention, certainly not interference—but what form should your sympathy and effort take in regard to these Italian questions. As I have been left by your chairman perfectly free and unshackled, I would say in the first place, that it is of extreme importance to this Church to be well represented in the city of Rome, and very thankful am I as an Englishman, to find that there is a prospect, in fact a certainty, of a Church built within the city of Rome and a Church worthy of yourselves, where your worship will be celebrated with due solemnity and punctuality. I may say also that it is a great pleasure to us Englishmen to know that the chaplain appointed to that Church is one deserving of your respect and of ours.

This is not the special topic before us; but I mention it because it cannot be dis severed from other action in Italy and I do most anxiously hope that none of those little currents of party feeling, which, I suppose, disturb you as they disturb us in England, will flow under the Atlantic to rise up in Rome. By all means let these party questions be kept on this side of the ocean, and have a fair average representation of your Church in that city. Nothing in the world can be more injurious to our influence there than to exhibit our Church under two or three different aspects in the same place.

I may add that an effort is being made by some of my English friends to bring into existence an Anglo-American institution at Rome, where we

might co-operate together in regard to literary, and antiquarian, and other objects, and I promised that I would use my first opportunity in America to respectfully recommend this scheme to the attention of American Churchmen. It seems to me, and it seems to others in England, that this is a ground on which we might combine, and that, too, on a site which is secured in Rome, and a site which is credibly believed to be connected with an interesting passage of the very earliest Church history in England. I believe that we might combine on that ground, strengthen one another there, and join in strengthening the good cause in regard to which I am now permitted to speak.

But the special topic is that which is connected with Mr. Langdon's mission. The method according to which these efforts should be made, I presume is this: Information should be carefully collected, and recorded and brought to you. Those who are inclined for reform in Italy should be brought together, the publication of useful books should be promoted, relations with the public press in Italy should be cultivated, and all this should be done in an open, frank, honest, and perfectly transparent manner, without any intrigue, to which, in fact, none of us are addicted. And meantime while you are doing this, we in England ought to aid in any way we can. But one thing is essential, that whatever ultimate action is taken should be thoroughly Italian. No American exotic, no English exotic, in Church matters will ever have a healthy and perpetual growth in Italy. We can help them to reform themselves, but the Italian proverb says, in regard to Church matters, as well as other matters, "*Italia lo fara da se.*" In fact, the form that your enterprise, according to my humble judgment, ought to take, is precisely the form under which these movements have been conducted hitherto.

Now I turn to a somewhat delicate point. Objections might be raised to Mr. Langdon himself, and certainly, in his presence, I am not going to run into the language of panegyric. I simply state one or two facts very briefly. In the first place, he has accumulated, and he would be very much to blame if he had not accumulated, a great deal of knowledge and a great deal of experience which no other human being possesses. Would it be wise to take him away with this knowledge and experience and send a novice for this difficult and delicate work? And now, as to his personal character and fitness. He and I have been together a great deal, as I have told you, and this I will say, that though I believe he is very zealous, I have found him very prudent; indeed, I have sometimes thought him too prudent, and so far as my knowledge of his proceedings goes, I have never been conscious of any single blunder on his part through want of judgment.

An allusion was made in the report just read to the lamented death of Bianciardi. I was cognizant of the peculiar difficulty of Mr. Langdon's position when that eminent man died, and I think the discretion and skill, and patience with which

he carried the affairs that were going on at Florence through that serious crisis, at a time when his own health was not very strong, are worthy of our utmost gratitude. And as to two results at which we should aim, the obtaining of the confidence of public men, and the establishment of relations with the press, I am quite surprised at the degree of confidence which he has inspired, and the way in which the Italian newspapers have admitted his letters, in which he has expounded to the Italians with their approval your Church Constitution, which letters of his have again been followed by leading articles speaking most respectfully of your organization, and recommending to Italians the careful consideration of your system as possibly in many respects very much adapted to them.

But, in regard to Mr. Langdon, I will say nothing more on my own part. I will only add that two of my friends who have seen more of him than I have, entirely agree in my opinion. One is a clergyman who probably knows more of reforming movements on the Continent than any other person now living and who certainly has the most singular skill in winning his way with opponents in respect to the controversies that lie between the Church of Rome and ours. The other is a layman, a lawyer, a keen lawyer, and a lawyer with a very large and varied experience in regard to Church law. I will read to you a few salient sentences from a letter I received from him in the month of September. This gentleman says to me:

"I hear you are going to America. If you do, don't fail to put in a good word for Mr. Langdon. It would be impossible for any one else to fill the place he fills most efficiently there. Pray do not mislay this note, but take it with you to America."

"It would be a grievous mistake to suppose that the spirit of reform is not alive in Italy because, externally, things go on as ever."

He then quotes from the third volume of D'Aubigne's History of the Reformation, alluding to a similar period in the sixteenth century, when there was no visible change in regard to outward matters. D'Aubigne says:

"Every revolution must take place first in thought before it is accomplished externally. The minds of men must be changed before their forms are changed. For all these things the lapse of a certain time is required."

After thus quoting D'Aubigne, my friend says:

"The more I see and hear and think of our hopes and duties in relation to Italy, the more firmly I feel convinced that we ought to spare no pains in sowing, leaving it to others, in God's good time, to reap. What if the Syllabus and Infallibility dogma may play the part now which indulgences did in the sixteenth century? The time is come when the struggle re-establish the temporal power will assist this movement by keeping the political world practically interested in ecclesiastical questions."

And then he says:

"When the public mind is educated up to the mark, the people will drive the priesthood to reform the Church. Meantime, we cannot expect that the most ardent reformers will face the hor-

rors of martyrdom in the ignoble form of starvation."

These are strong sentences from a well-informed man, whose opinion is worthy of being accepted. And to add the judgment of two of our own English Bishops, I believe I can quote with perfect confidence the names of the Bishop of Ely and the Bishop of Lincoln, Dr. Harold Browne and Dr. Christopher Wordsworth, names not unknown on this continent, very strongly in confirmation of everything I have said; and, for my own part, I have no hesitation in saying that Mr. Langdon has been instrumental toward a very large diffusion in Italy of a healthy spirit of conservative Church reform.

After this, I hardly think questions will be raised as to results. We none of us wish to see results in the form of independent congregations. What I have already said is, I think, a refutation of any objection that may be raised on that score.

But it might be asked, "Is this the time to proceed? A great deal has been done. Might you not now wisely rest from your labors?" I cannot help thinking this is the very time when active and careful progress is more than ever demanded. Here you have had three great recent changes in Italy: 1st, the doctrine of the Immaculate Conception; 2d, the abolition of the Temporal Power; 3rd, the Declaration of the Papal Infallibility. The time is now come when politicians find it worth their while to take an interest in religion. A little while ago politicians were profoundly indifferent and sublimely contemptuous. Now, that it is not the case. But, besides this, I feel a strong conviction that in Italy there is setting in a religious reaction. Our great difficulty has been with religious indifference. I believe that a healthy change is taking place in this respect.

But further, at this moment, in consequence of the Declaration of Papal Infallibility the movements for Church Reform which take place in Italy are no longer isolated. Whatever reasons there were three years ago for beginning this effort, are at least threefold stronger now. What goes on in Italy through the efforts of Mr. Langdon will be connected with what is likely to go on in France in connection with Father Hyacinthe. I have the honor of knowing that distinguished man, and I am glad to express in public my admiration for his noble character, his beautiful modesty and simplicity, and the resolute way in which he waits quietly for the future when if he pleased he might be the centre of public admiration in Europe. I have not the privilege of knowing Dollinger, but many of my friends have, and I suppose we may say with regard to the movement connected with his name that this old Catholic tendency has about reached the point which the English Reformation reached in the early part of the reign of Henry VIII. I think the matter only requires to be stated in that way to fill us with many hopes and to impress us with the fact that we who have received so many blessings from the Reformation have duties to discharge, if only we discharge them modestly and carefully, with regard to Italy, Germany and France.

I need only make one very short allusion to the

fact that all these movements on the Continent arising out of this new Papal dogma touch the population of the United States somewhat closely. It is perfectly well known that some of your Roman Catholic Bishops stated the same thing in America which used to be stated in England, namely, that the infallibility of the Pope was not the doctrine of the Church, and that it was a calumny against the Church of Rome to assert that it was dogma. Now these Bishops have returned, and they have felt it their duty to say that the Papal infallibility is dogma, and I need not add that if the infallibility of the Pope is a truth, it always was a truth. Here is a practical difficulty for the thoughtful Roman Catholics of America, and I think we cannot doubt that there are very anxious thoughts in the minds of many of the best of them at this moment, with serious sympathy, though it may not yet be expressed, with the struggles of these good men in Italy, in France, and in Germany.

Having alluded to the wide geographical range of this movement, I cannot help expressing the hope that in due time, if not now, this Committee, which has been formed in reference to reforming movements in Italy, may take a wider scope, and that you will have yours accredited organs for communications in a spirit of respectful sympathy, and with a desire to help, not only with Italian reformers, but with those in Germany and France. In other words, I fully hope and expect that this movement, which began only with Italy, will become more widely developed, and will embrace a considerable part of the Roman Catholic world on the continent of Europe. But, on such a point, I can only express an opinion timidly and cautiously to be taken for what it is worth. It is not my business to say what you ought to do.

Here I leave the subject. I am very grateful to you for allowing an Englishman to do what I believe has not been customary in this assembly, to express an Englishman's opinions before you. The crisis is full of interest, and the subject is of vast importance. I am very thankful to hear that you propose that one of your Bishops shall go to the continent of Europe. It will be a great advantage, and if in conjunction with his mission, Mr. Langdon has a strong and accredited position, when the Bishop returns to this country, I am quite sure that he will continue to do useful work, and that when you meet in Convention in 1874, you will not regret the decision you have come to in 1871.

This Church is far too great, far too progressive, to be careless about the opportunities which God has placed in her hands. She must have relations with all the world. Only think of the change which has come over you, since the Convention last met in Baltimore, in the year 1808, when, I believe, the whole body of Bishops consisted of about half a dozen, and the House of Bishops in this city contained just two, I cannot express to you the depth of my feeling, and will only say that the feeling is very deep, when I look down this list of names so familiar to you, exhibited in these inscriptions of State after State over this vast continent from North and South, from East to West. As I have looked again and again at these names, I have felt an emotion so strong that I should find it difficult to express it.

Let us all give thanks to Almighty God for the spirit of charity and of mutual trust which, by His

blessing, at a very critical time, has reigned in this Convention.

The Rev. Dr. SCHENCK, of Long Island. I beg to offer the following resolution:

Resolved, That the thanks of the House of Clerical and Lay Deputies be presented to the Very Reverend the Dean of Chester, for his admirable and very instructive address on Religious Reform in Italy, just delivered to this body.

The Rev. Dr. HAIGHT, of New York. I second the resolution.

The resolution was adopted unanimously by a rising vote.

Dean HOWSON. Mr. Chairman, I beg leave to express, on my own part, and also on the part of the Church of England, the deepest gratitude for the reception you have given to the Bishop and the Presbyters who came, with true brotherly feeling, to visit this Convention, and who will certainly go back to England with a very strong sense of the excessive kindness of American Churchmen, and of the great hopes which we have good reason to entertain of this branch of our common Church.

The President appointed as the members of the Joint Committee on Religious Reform in Italy on the part of this House, the Rev. Dr. Haight, of New York; the Rev. Dr. Schenck, of Long Island; the Rev. Dr. Leeds of Maryland, and the Rev. Dr. Hoffman; and on the part of the laity, Mr. Henry Chauncey, of New York; Mr. F. S. Winston, of New York; Mr. W. M. Goodrich, of New York, and Mr. Francis P. Nash, of New York.

SWEDISH PRAYER BOOK.

A message (No. 46), from the House of Bishops announced that that House had adopted the following resolution:

Resolved, That this House concurs in the resolution communicated to it in Message No. 37, from the House of Clerical and Lay Deputies continuing the Joint Committee on the Swedish Prayer Book; and it has appointed as members of said Joint Committee, on the part of this House, the Bishop of Minnesota, the Bishop of Illinois, and the Bishop of Wisconsin.

DOMESTIC MISSIONARY BISHOPS.

A message (No. 47), from the House of Bishops, announced that that House had adopted the following resolution:

Resolved, That this House concurs in the proposed amendment to Clauses 1, 2, and 7 of Section 7 of Canon 13 of Title I., communicated to it in Message No. 40, from the House of Clerical and Lay Deputies.

THE HYMNAL.

The Rev. Dr. SHAND, of South Carolina. Is there any order of the day now?

The PRESIDENT. There is not.

The Rev. Dr. SHAND, of South Carolina. I beg leave to call up the report of the Joint Committee of Conference on the subject of the royalty on the Hymnal, which report has been embodied in a message that came from the House of Bishops on Saturday last.

The Secretary read the report of the Committee of Conference on the Hymnal, as follows:

The Committee of Conference, to whom was referred the disagreement between the two Houses, in reference to the second resolution, proposed by the Committee on the Hymnal, being much impressed with the importance of the object sought to be secured by the House of

Bishops in the proposed royalty, and notwithstanding differences of opinion among members of the committee upon the abstract proposition of fixing a royalty, and without committing themselves unequivocally to the principle, have concluded in order to test anew the sentiment of the Convention to present for its consideration the following resolution:

Resolved, That this Hymnal, when finally corrected by the committee thereon, shall be free to be printed and published by all responsible publishers who shall obtain a license to that effect from the Trustees of the Fund for the Relief of Widows and Orphans of Deceased Clergymen, and of Aged, Infirm, and Disabled Clergymen, and who shall assure to said Trustees a payment to be applied for the uses of the said fund, equivalent to ten per cent. upon the retail selling price; and that the copyright of the Hymnal be vested in said Trustees.

ALFRED LEE,
HENRY C. LAY,
HENRY A. NEELY,
DANIEL S. TUTTLE,
J. SHAND,
JOHN N. MITCHELL,
C. LIVINGSTON,
GEORGE B. WARREN, JR.,
STORRS O. SEYMOUR.

The Rev. Dr. SHAND, of South Carolina. I move the adoption of that report.

Mr. LIVINGSTON, of New York. I have what I think is an important amendment, that should be appended to that resolution, and I think the reading of it will avoid the necessity of any explanation on the subject:

"Subject, nevertheless, to the right of the General Convention, from time to time, to alter and regulate the amount of the said royalty, and also to make the publications of said Hymnal, entirely free from any royalty, when it shall have authorized the publication thereof in the Book of Common Prayer"

I move that as an amendment, by way of addition.

Mr. SHEFFEY, of Virginia. I desire respectfully to suggest to my friend from New York, that the report of a Committee of Conference, is not susceptible of amendment. The House must disagree to the report of the Committee of Conference, and ask for a new committee, or take it as it is, or vote it down. There is no amendment of the report of a Committee of Conference.

Mr. LIVINGSTON, of New York. It strikes me, that when a Committee of Conference report, not recommending the adoption of a certain resolution, but referring it back to the House, it is proper for the House then to take up the subject *de novo*, and act upon it. My able friend from Virginia, is undoubtedly more versed in parliamentary law than I am; but I call his attention to the fact, that this is not the ordinary report of a Committee of Conference, but it simply brings back a subject to this House for reflection and consideration, in deference to the opinion of the Bishops founded upon an entirely different condition of things.

Mr. SHEFFEY, of Virginia. Will the gentleman allow the report again to be read, so that we may be put in possession of the facts?

The SECRETARY again read the report.

Mr. SHEFFEY, of Virginia. The question is upon concurring with the Committee of Conference in their resolution, and that is not susceptible of amendment. It must be either adopted or rejected.

Mr. LIVINGSTON, of New York. It will be observed that the resolution, which we adopted the other day, declining to accede to a royalty on this Hymnal, was adopted on the idea, that the proceeds of that royalty were to be devoted to paying the expenses of this Convention, in addition to the expenses of the printing and the stereotype plates. The Bishops, upon reconsideration, recommended to your committee a change in that matter; and, although, after the almost unanimous expression of the opinion of this House, we did not deem it proper to accede to the change which they recommended, we were very much convinced that the change in the condition of things was so great, that the House consent to alter its action.

It is now proposed that the proceeds of this royalty shall be devoted to one of the most desirable charities of our Church. It is proposed that the proceeds of this royalty shall be devoted to a corporation acting as trustee, for a fund for disabled and infirm clergymen and the widows and orphans of deceased clergymen. I confess that when this proposition was made to me it altered very much my feelings on the subject, and with me it had been a sentiment that we should not bind our constituents to pay in this way the expenses of this Convention. It struck me that it would go abroad and bring disrepute upon us if we did that; but when we are called upon to contribute a small mite to the benefit of our disabled clergymen and to the widows and orphans of deceased clergymen, it strikes me that the sentiment is gone and we have an excellent excuse, if not a good reason, for changing our vote.

In addition to that, I beg leave to call the attention of the members of the Convention to the fact that it has been suggested to us that the greater portion of this royalty will be devoted to those dioceses which, now being crippled and having great claims upon them from all parts, are unable to contribute to this great charity. Those of us who represent dioceses having societies for the support of our own infirm clergymen, will probably receive little of this; but most of it will be distributed to those who cannot support their own clergymen. It strikes me, therefore, that you should, with great unanimity, recede from your action the other day and adopt this resolution which is suggested by the House of Bishops.

I have suggested an amendment which, it strikes me, must have been an oversight in the Bishops, whereby we can keep the control of this royalty.—Otherwise, when the Hymnal is finally authorized by the Convention, and directed to be printed with our Prayer Books, the right to the royalty will be held by this society, and we can in no way control it. It is therefore a formal amendment, which those who are better versed in parliamentary law will, I hope, suggest a mode of introducing, and it ought, I submit, in deference, to be included.

The Rev. Dr. JACKSON, of Connecticut. I wish to say just one word on this question. The object is noble, but the principle is wrong: because it compels every member of our Communion, who shall purchase this Hymnal, to contribute so much, ten cents, or whatever the sum may be, to a certain charity. Now, I do not like compelled charity. That is my objection to this; it is wrong in principle. The object is noble and ought to be supported spontaneously from the impulse of every Christian heart. Now,

who does not know that this royalty will not come out of the pockets of the publishers? On every principle of political economy we know that it will come out of every man, woman, and child who shall purchase the Hymnal. It will come out of the pockets of the poor as well as the rich. I am, therefore, opposed, on principle, to this concurrence.

The Rev. Dr. CLARK, of New Jersey. Mr. President, I presume that, with this royalty, we shall not pay one cent more for a single copy of the Hymn Book than we shall pay if it is not placed upon the book. It strikes me that it is a simple question between our having the profits for a good use, and their going into the pockets of the publishers; and I can see nothing against our adopting this resolution, either in principle or policy, inasmuch as many religious societies adopt precisely the method which we propose to adopt now, and with very happy results. I do hope, sir, that whatever advantage may be derived from the sale of this Hymn Book, may come to us and not go to a few publishers, especially in view of the fact that it will cost us no more for the book if we have this royalty than it will cost without it.

The Rev. Dr. ADAMS, of Wisconsin. Mr. President, as I spoke on this question before and called the attention of the clergy of this Church, and of the laity who are legal men and communicants, to the object which underlies this whole proposition, I think it would be a thing eminently unfair if, at this time, when only a few words have been spoken, the full and complete consideration of this momentous question should be put down by a cry of "Question," "question." I hope that not only I, but every honest and religious man in this Convention who wishes to express his opinion upon this point, will be permitted to do it freely, at full length, and honestly as in the sight of God and this Church.

Now, sir, the first remark I will make is, that the committee who have this in their care are unquestionably great parliamentarians. The first operation that they did in reference to the matter—was what? By the first resolution they brought forward, they proposed to give each and every delegation who vote upon this point a money bonus for voting for the resolution, that is to say, as I stated before, the Diocese of Wisconsin, if it had voted for the resolution as it was first brought forward, would get a bonus for enacting the law which we were called upon to enact. I did not state what was the effect of that operation legislatively; but every lawyer who is here knows what it is. I will not pollute my mouth by stating plainly, as I might state, what the effect of that action upon their part was. Sir, I will not before this House pollute myself or hurt the feelings of this House by saying that in any bill or resolutions brought forward before this House, there is a concealed attempt at bribery. I will not say that because I have too much respect for myself, and I have too much respect for this House, even to utter such a word with regard to a Committee of this House coming forward to act.

Now, sir, as I have solely given them the credit of intense parliamentary ability, I will say that they have shown it in this case also. They have shown exceeding knowledge of this House, and of our feelings. They know very well that with regard to the widows and orphans of clergy, we have the strongest emotion of feeling. We know that they have suffered and may suffer. We know that there is a very slight provision for them indeed. And above all, we understand that in the Southern States such funds must be

very small for a few years only. This Committee, therefore, viewing the conduct of this matter, and being fully and distinctly determined that this Convention of the Church shall, before God, go into the system of merchandising by taking copyright, and then placing a prohibitory resolution which enacts and commands that this copyrighted Hymnal alone shall be used by all this House—this Committee determine to rush upon us by an appeal to our heart, these two principles by which the Church of God shall enter into merchandising. This committee now come forward and appeal to our hearts as formerly they appealed to our pockets.

Mr. President, it is very judicious action on their part. And, furthermore, to increase the power of that appeal of theirs to our feelings, the other House appointed, as I understand, as the Committee of Conference with our House the very five Bishops who are trustees of this great and admirable charity. They have come and they have conferred with our committee. They have appealed to them, of course. They have said, "Look what an endless amount of means will be given to a charity so admirable as we represent, so desirable in all respects for the widows and orphans; and if you will simply withdraw from your former action, you will put the Church in the position of a body merchandising, owning copyrights, and running them."

Now, Mr. President, I will say that this is very wise on their part, and it has had, of course, more or less effect, and I believe it would have a very strong effect, but that here in this House there are clergy representatives of the Church who, perhaps, are the clearest headed and the most principled body of men who are clergymen in the United States anywhere, and that we have laymen in this Church who are lawyers and who know that our principles will not permit us to assume a position which I maintain, have said, and do believe is a system of immense possible corruption and of great villainy ultimately. I do not venture to say that there is any such thing at present. There is not. These gentlemen of the Committee are perfectly and entirely honest, and the Committee of Conference I believe are fully and entirely honest in their opinions and in their action; but I say that honest men should not assume a wrong position, a dangerous position, a position whose principles the Church cannot stand upon for one moment, the position of making this Church enter into the business of merchandise upon the ground of a prohibitory tariff.

Every gentleman understands that a copyright is a matter of property. The moment a copyright is enacted, it is a matter of property. Then this matter of property is proposed to be placed in the hands of the corporation for the relief of widows and orphans of clergymen. That property is theirs; that is, when you pass it out of your hands you have given them a property; you say to them that there shall be a royalty of ten per cent. What is the meaning of this? The property is absolutely in their hands: it is worth in the market so much. What right have we to come in and say that this corporation, which is so admirable and so necessary, shall take simply ten per cent., shall not take the full value that the copyright is worth in the market? Gentlemen who are lawyers, will see

that that principle at once comes into action. A limitation to anything short of the whole value is utterly impossible: and, furthermore, it is utterly wrong, because the men have that copyright, and if they have the right to exact ten per cent. upon the retail price in behalf of this corporation, why should they not have the right to take all that they can get? Manifestly, they have a right to take all they can get the moment you transfer the copyright into their hands.

When that is so, what is that copyright worth? I estimated it when I spoke before, as worth, at least, a million of dollars. The gentleman from Pennsylvania, (the Rev. Dr. Howe) used the phrase I think, I quote it not *verbatim*, but substantially, that none of us could by possibility be able to comprehend how large and extended an income it might give. There is no doubt that such a copyright will and can give, when it is once a matter of property in the hands of a corporation fitted to manage that property, a large and enormous income, an income which at the present time a member of the House of Bishops no later than last Saturday, told he thought it would be \$100,000 annually at least. What do you do then? You create a great moneyed corporation centred among you. I suppose I shall not be called to order when I say that Wesley having begun this for the first time, that great central corporation of the Methodist Book Room has controlled and ruled that Society. Every Bishop that has been elected among them, every officer of authority has been elected from that great moneyed corporation. You have a great moneyed corporation. You have given them directions to use their own property. How are they to use it? At once the idea gets up in the mind of that corporation, "What is the use of giving it to booksellers, when we can go in and manufacture ourselves, and when we can bring the thing out so cheaply and make such an additional amount of profit?" At once you have that proposal naturally and easily coming to pass. You have then a corporation with patronage in its hand, you have a manufacturing corporation authorized by the Church, of immense moneyed power and going in and manufacturing, and then you have the Methodist Book Room over again in the Protestant Episcopal Church.

But, sir, it was said to me on Saturday, "What is the harm; after you have authorized this matter, you can go in and take away the prohibited legislations by which you make the copyrighted Hymnal incumbent on all the Church; you can, by a vote of the General Convention, repeal that provision and bring it back again, and make all Hymnals free." Mr. President, I have had the misfortune of being in a State in which I have seen great moneyed corporations buying men like sheep; it is known to be the case all over the United States; I would ask gentlemen this: When you have created a corporation which has thousands of dollars of income coming in, which controls, and rules and governs, suppose anybody in this House comes forward to propose to repeal the source of their wealth, I ask you what is the experience of this House, and of every one that knows anything in regard to such things? There being

many cases in which men have the right to prescribe books, whether as superintendents of public education or in any other way. Do we not know that booksellers endeavor to get their own books introduced? Do we not know that often it is a question of private influence; otherwise bribery? I do not want this House to be putting itself in the position of creating a great moneyed corporation which it cannot destroy by a word of its mouth, or to have the possibility of anybody coming into this House and trying to influence leading men to put an *estoppel* upon such a revolution.

I have said pretty much what I have to say, but one thing now I will say. This question as the father of the House has said to us came up before the fathers of this Church, Bishop White and others. It was fully and entirely discussed among them as to whether they would, like the Methodists, on their Hymnal and other books, copyright the Prayer Book or whether they would leave it free to all men to print without a royalty or an attempt at one. What was the consequence? Bishop White declares in his memoirs that on discussing the matter fully they made up their minds that the Prayer Book should be left entirely free. The result of this has been that we have had Prayer Books of all kinds, Prayer Books as cheap as possibly could be, Prayer Books printed by every one who chose to print them, and the sole limitation the Church has made has been this, that the Prayer Book must be supervised by a presbyter appointed by the Bishop.

On these grounds I think that such a resolution as that should be enacted; that is to say, that a presbyter appointed by the Bishop should supervise this Hymnal, that it should be free to all men to print, and that there should be no royalty upon it: and I would wish the gentleman of this Convention to understand that the reason I oppose the report now made is, not that I oppose the largest and most exceeding liberality to the orphans and widows of the clergy of the Church, but simply that I am opposed to the principle of the Church holding copyright and going in and enforcing, by prohibitive legislation, the use of that copyright, going into the market as a matter of merchandise. It is on the basis that the principle in itself is wrong. I believe that every clergyman and every layman who will look fully into this matter will see that it is so.

Upon these grounds I hope that this House will adhere to the resolution they formerly came to, that they will settle the matter of the Hymnal upon the same ground that it was settled before, so that we may avoid the great danger of an immense moneyed corporation, and above all, the great danger which lies under this proposal of possible corruption entering into this body.

Mr. President, I have said pretty much all that I intended to say, and I will, therefore, leave it to this Convention.

Mr. MUDGE, of Massachusetts. I have listened, with a great deal of interest, to the remarks of the reverend gentleman from Wisconsin; but, although he has imputed improper motives to clerical mem-

bers of this body, I think he cannot, in the same strain of argument, impute any to the lay members.

The Rev. Dr. ADAMS, of Wisconsin. I call the gentleman to order. I imputed no one's motive.

Mr. MUDGE, of Massachusetts. I understood the reverend gentleman to say that here was a bribe offered. In terms he said it. I say, speaking for the lay deputies of this House, that we are not open to the imputation of being liable to be bribed, and, therefore, I have a few words to say on this subject.

Mr. President, in rising to discuss this question of royalty on the Hymnal, I wish for the moment to divest it, if possible, of the feeling which was invoked against it when this House non-concurred with the House of Bishops. If this can be done, I think good reasons can be found why Deputies who voted against the royalty should change their opinions. Now, what is the subject before us? It is simply to determine whether the Church, acting through this Convention, shall divest itself of a property which it now possesses and without any consideration therefore.

What are the reasons which have been given for such a course? They were, *leaving out the sentiment*, that members of our communion and others might, and, it was assumed, would, have to pay a higher price for the book than if no royalty was put upon it; the genius of free trade was brought in to throw its glamour over the argument, so that, as it seemed to me, without thought, without the exercise of calm, cool judgment, the matter was disposed of.

Now, Mr. President, I would ask gentlemen to follow me carefully and see if they will not agree that their former action was hasty and ill-considered.

I suppose it is the wish of this Convention to put into the hands of all who worship with us, a Hymnal which shall be well printed, on good, strong paper, neatly bound, and which shall be sold at the lowest possible price. I think I shall be able to show that all this can be done best by keeping the control of publishing the book in the hands of the present Committee on the Hymnal.

Here I beg to say, that I jotted down these thoughts before the report of the Joint Committee was brought in, and my view differs a little from their report, but not essentially. I shall go for the report as it comes from the Joint Committee, as the learned gentleman from Virginia tells us that it is not susceptible of amendment.

The reasons for the belief I have expressed, are that the Hymnal Committee can satisfy themselves by obtaining proposals, if necessary, from the largest and most reliable publishing houses for printing and selling to the trade, or other large purchasers, the book including the royalty. By comparing these proposals, the Committee will see at once the lowest price at which the Hymnal can be sold, as the competition among publishing houses will determine this; the Committee may then, if they choose, put a retail price, to be printed on one of the fly leaves, leaving a fair and moderate profit to the retail bookseller.

An agreement could also be made with the publishers, that orders accompanied by money from the Rector, or Warden and Vestry of any parish, should be filled at the regular wholesale trade price.

Mr. President, I know nothing of the publishing business, nor do I know whether the assertion made here, when this subject was, the other day, under consideration, is borne out by facts, viz., that books are retailed in the South and in remote parts of the West, at double their price in trade centres; but, respectfully submit to gentlemen entertaining that idea, that I have shown that if the Committee retain control of this business no such state of things could exist.

And here I would beg to remark further, that in controlling the publishing of this book, you control the quality of the book itself; I mean the material of which it may be composed. Instead of having a cheap and trashy edition of the Hymnal published, you secure, once for all, a perfect, good, strong book, which will bear the test of wear.

I do not wish to extend my remarks, as gentlemen must now see clearly that a royalty of ten per cent. can be laid, under the conditions I have stated, without difficulty.

Here I will give gentlemen who oppose this idea all the benefit of the doubt. I say this royalty will not much, if at all, increase the cost of the book. However, I think I have convinced the Convention that the book will be sold cheaper than it could possibly be under any other circumstances, if the Committee lose the control of the publication, because I have said that the Rector or the Wardens

and Vestry of any parish in this broad land can have the book at the wholesale trade price, without any profit at all, except such a profit as the Committee itself would have in their control, because they can easily find out what the cost of publication is. We have the cost of the stereotype plates before us; we know what it costs to pay a workman for a day's labor in producing copies from those stereotype plates, and it would be easy for any person who possesses a knowledge of the common rules of arithmetic, to arrive at all that; and I give credit to the gentlemen, whoever they may be, who would compose this Committee, to say that they would not only control this business, but control it in such a way that the members of our communion, and those worshipping with us, would really and truly get the book cheaper than they could in any other way.

I object strongly to giving the proceeds of the publishing of this book for defraying the expenses of this Convention; but, that difficulty being removed, according to the view of the respected gentleman from Wisconsin—friend, I wish I could call him, because I do respect him—I should not propose to give away this copyright to any corporation, but would hold it as property of the Church in the hands of the Committee on the Hymnal.

Mr. FAIRBANKS, of Tennessee. Mr. President, I beg that the Convention will not be led away by the eloquent arguments of the Delegate from Massachusetts. It may be the intention or desire of the Church to have one edition of this book printed of a certain shape and form on certain kinds of paper; but, if it is to be disseminated through the whole United States in every Diocese, it is an object to get it in its cheapest form. Now, sir, in many Dioceses all the loose money of the poor members of our communion has already been expended in getting Hymnals, and they have very little to waste in getting such books as might well suit the wealthy Diocese of Massachusetts. I think the Convention ought to vote against this royalty, or against any other mode of procedure that would add a single iota to the expense of this work; and every man on this floor, who is a business man, knows that the cheapest, the easiest and the readiest way of getting this book thoroughly disseminated is to place it before the whole publishing world without any restrictions whatever. I hold in my hand an edition of the Hymns Ancient and Modern, containing 386 hymns, published in legible form, the wholesale price of which, in New York, is \$5 per hundred. It is an edition of that kind that we require, that we can afford to get, that we can waste our money upon, for it may be decided by this Convention ultimately to be an absolute waste; and, therefore, the action of this Convention that will bring about the means of getting before us and disseminating the cheapest possible edition of this book, will be the one that, I think, we ought to vote for.

Rev. Dr. McNAMARA, of Nebraska. Mr. President, I wish to nail this merchandise question right to the counter. I maintain that the point of the argument is this: The Saviour went into the temple and found those who exchanged money and sold doves. They did not make the money, nor did they make the doves. Now, do we not make Bibles and Prayer Books? and will they be called merchandise? This is merchandise, but it is proper and spiritual merchandise. The amendment which I would offer, provided it were in order, would be to have the New York Bible and Prayer Book Society, and the Bishop White Prayer Book Society, of Pennsylvania, do this work of ours. It will come to that eventually, that we shall attend to this matter ourselves, and furnish these religious books of ours 20 per cent. cheaper than any publisher can. As to the great argument of the corruptibility of certain Societies that have been mentioned, let it be borne in mind that Churchmen are incorruptible; that money cannot bribe them, no matter what may be offered to the delegation from Wisconsin, or any delegation on the floor of this House.

Mr. McCRADY, of South Carolina. I would be very glad if the gentlemen would consider what they are going to do, before they rush into it. Can they take this matter out of the hands into which they propose to give it, when it shall once have gone there? You will give to these trustees a property. Can you take it back again? Never. Are they not a corporation? What are you going to do now? When they have got this property, it is theirs, and you cannot take it away; and if you were to attempt to take it, under the resolution as it now stands, those interested in the income, the object of the bounty, could stop it.

Are gentlemen going to put themselves in that situation? The proposition is immature; it is not in a condition in which you can take it. If you adopt it now you bind yourself hand and foot. What the gentleman from New York proposed shows conclusively that there is something else

to be done, that you have this proposition before you in an imperfect form, and that it should not be adopted as it stands. You must send it back again, even if you are going to pass it finally in some shape. Let me beg gentlemen not to rush into this thing, where they can never get their hands out again. Send this report back to the Committee, and let the amendment which is necessary be made; but you cannot do that here and now.

But I differ essentially from a sentiment which I have heard expressed here. Certainly I think the disabled clergy, with their families, ought to be taken care of; but I thank God that the Church will never be relieved from the necessity, through her people, of providing for them. Will you destroy this charity? Now it appeals to the hearts of all. If the fund which you propose to vote to it should be ten times as large as it is likely to be, I would be ten times more anxious that it should be sunk and gone. Where is your fund of charity? It is in the Church, and no where else. If you cannot build on that, every thing else is but bricks and mortar and may be swept away. Let not gentlemen be misled by the idea that this is going to do good. The way of doing good is more important than the good itself. You do not know what good is. None but He above knows what good is, and He has shown you the way in which you are to do good.

Gentlemen say that there is no corruption in such a fund. Now just as inevitably as there is a fund, just as certainly as money is the root of all evil, just so certainly I believe that as sure as you have a fund you will have corruption connected with it. You may resist it for a while, but it will certainly creep in. Let us recur to the very first age of the Church, when all was in common. Then there were murmurings until the Apostles gave it up, and put in other men to distribute those things that were contributed. In my opinion you cannot do yourselves more injury than to have a fund to squabble over. When you once give it in this form, you can never get it back. Whatever else that is good you may do this session, if you gather a fund which is to be a bone of contention hereafter, (and it will be, say what you please,) it will be a festering sore in every way.

Not only that; but when the copyright of this Hymnal is made the property of this corporation, the Prayer Book will come next. I object altogether to vesting such matters in this corporation. I ask gentlemen if their experience will not respond very much to what I say, when I declare that never has a fund been gathered for purposes of charity where sympathy for the fund, when it began to be large, was not stronger than sympathy for the charity. It is in the nature of man's heart; and those who ought to be the recipients of the bounty will be stinted. I have seen that over and over again; and I have had to contend against it. The fund accumulated is not so much for charity as to relieve posterity from the necessity of giving charity. The idea is to accumulate a fund, say to the amount of \$10,000,000, so that the people will never be called upon. I should be sorry if gentlemen were not called upon for charity. I should be sorry if we should not have these appeals to us. They open up our hearts more than any thing else. After a man has been served by a faithful clergyman, who can bear to see him suffer? You can not make a stronger appeal to the human heart than that, and I do not want to take that appeal away. Whatever else you may do, do not do it in this form.

Mr. BATTLE, of North Carolina. I move that the question be taken in two minutes from this time.

Mr. LIVINGSTON, of New York. I move to re-commit the report to the Joint Committee, if that motion is in order.

Mr. SHEFFEY, of Virginia. With the consent of the House of Bishops the two Houses could re-commit the report of the Joint Committee of Conference, although it is very unusual. The proper mode would be to reject it, or accept it. If the House is opposed to the proposition as it stands, reject it, and then ask for a new Committee.

The PRESIDENT. I think that would be the best way.

Rev. Dr. SHAND, of South Carolina. I will mention what may have escaped the notice of the House, that on Saturday the House of Bishops sent us a message in which this report is embodied, almost word for word.

Mr. LIVINGSTON, of New York. They have adopted the action of the Committee on Conference, and sent in that message on Saturday.

Rev. Dr. SHAND, of South Carolina. I should be glad to have the Secretary read the message which came in from the House of Bishops on that subject.

The PRESIDENT. The first question is on the motion of the gentleman from North Carolina, to take the vote on this subject in two minutes.

The motion was agreed to.

Mr. LIVINGSTON, of New York. Let me state that gentlemen have entirely exaggerated when they have said that this fund is going to be a very large fund. I hope it will be \$5,000, I fear it will not be \$10,000.

Rev. Mr. PORTER, of South Carolina. Mr. President, I am not a bold man, but before this vote is taken I would ask my brethren here if any of you desire, if you should live to be old, that you should be supported by any such tax on the Church as this? I ask you if you would have your widows and orphans supported in this way? ["Yes."] I would not for one.

The PRESIDENT. The question will be on concurring in the report.

Mr. MCCRADY, of South Carolina. I ask that we have an opportunity of recording our votes.

The PRESIDENT. I was going to state that on the question of adopting the report of the Joint Committee, those who wish to present the matter in a different way should vote against the motion to concur, and then the matter will be before a new Committee, for such amendment as they may desire to make.

Rev. Dr. McNAMARA, of Nebraska. Can it be amended?

The PRESIDENT. Not as it is now before us. It can be rejected, and a new Conference asked for. When another Joint Committee is formed the amendment may be suggested to them.

Mr. RUGGLES, of New Jersey. I wish to ask a question for information. If we take this copyright can we publish another Hymnal composed of parts of this?

Rev. Mr. EGAR, of Pittsburgh. I rise to ask another question. I find on page 257 of the Journal of the last Convention, being the Journal of the House of Bishops, this memorandum:

"In connection with the preceding Message from the House of Clerical and Lay Deputies, the Bishop of Delaware presented the following Report:

"The undersigned, surviving Trustees of a proposed Fund for the Relief of Widows and Orphans of deceased Clergymen, and of aged, infirm and disabled Clergymen, beg leave to Report, That since their appointment no endowments or donations have been placed in their hands, although a Charter was obtained and an earnest appeal issued in the year 1859. The causes to which the failure of this effort may be assigned are stated by the Trustees in their Report to the General Convention of 1862. [See Journal, page 130.]

"The principal of these were the existence in the old and stronger Dioceses of Diocesan funds of this nature, and the extended operations of Life-Insurance and Annuity Companies. These causes remain in undiminished force, and render the continuance of such a Board of Trustees, in our opinion, of no practical use or benefit. We therefore ask to be discharged, and submit the following Resolution:

"Resolved, That the Board of Trustees of 'The Fund for the Relief of Widows and Orphans of Deceased Clergymen, and of aged, infirm and disabled Clergymen' be discharged, and that the Charter obtained from the Legislature of the State of New York be deposited with the Registrar of the General Convention.

"All which is respectfully submitted.

"ALFRED LEE,

"J. H. HOBART,

"NEW YORK, October 27th, 1868.

"HAMILTON FISH.

"On motion, the Resolution reported by the Committee was adopted."

I merely want to ask if there is such a Society, or if it can be resuscitated?

The PRESIDENT. I do not know.

Mr. LIVINGSTON, of New York. There is such a corporation chartered by the State of New York.

Rev. Dr. MEAD, of Connecticut. There is such a corporation; and we acted upon the names of Trustees appointed by the Bishops on the 19th day of this month. The House of Bishops sent down a list of seven Trustees. I think, and asked our concurrence; and we have voted concurrence, and that incorporated Board of Trustees now exists, according to the law of the Church. The simple question now is, will you send this back to them with authority to exact this royalty, or call it whatever you choose. I am opposed to it.

The PRESIDENT. The question is on adopting the report of the Joint Committee of Conference.

Mr. SMITH, of South Carolina. Some of us consider that underlying this matter is a great principle, and the Diocese of South Carolina calls for a vote by Dioceses, and orders.

The PRESIDENT. The Secretary will call the list of Dioceses.

Mr. SMITH of South Carolina. We are told that the temper of the House is so clear against this, that it is not worth while to consume time. The deputation from South Carolina, therefore, withdraws the demand for a vote by Dioceses, and orders.

The PRESIDENT. The question, then, will be taken *viva voce*.

The question being put, the ayes rose and were counted; and those in the negative were called on to rise.

Rev. Dr. MEAD, of Connecticut. In behalf of the clerical members of the Diocese of Connecticut, I call for a vote by Dioceses, and orders. ["Too late."] I claim the right for the Diocese of Connecticut, constitutionally.

Rev. Mr. ROGERS, of Texas. I rise to a point of order. Has the gentleman a right to wait until both sides have been put, and he sees how the question has gone? I say no.

Rev. Dr. MEAD, of Connecticut. Both sides have not voted.

Mr. WHITTLE, of Georgia. There is no doubt that at any time before the vote is announced by the Chair, that right inheres.

The PRESIDENT. I have no doubt of it. Gentlemen, as their names are called, will answer.

Rev. Dr. MEAD, of Connecticut. Every man who votes "no," votes against the report of the Committee of Conference, and every man who votes "aye," votes in favor of it.

Mr. LIVINGSTON, of New York. No, sir. I propose to vote "no," now, for the purpose of moving a re-commitment, and getting my amendment in. Therefore, those of us who are in favor of passing the resolution, with the amendment suggested by myself—

Mr. JUDD, of Illinois. I rise to a point of order. That gentleman cannot discuss the question when a vote is being taken.

Mr. MUDGE, of Massachusetts. I beg that the Chair will let the Convention understand how it is voting. I do not think gentlemen all understand this matter. If the gentleman from New York is correct, a portion, at least, who will vote "no" will be, or might be classed with those who vote "aye." If the Chair will have the kindness to state how he understands this question now before us, I, for one, shall feel obliged to him.

The PRESIDENT. The question, as well as I understand it, is upon the adoption of the report of the Joint Committee. If that resolution is concurred in by this House as the act of the House, the question is ended; for the House of Bishops have already acted upon it, and their message is here. Those who are opposed to that action, and those who wish that action to be amended, must reach the result at which they would arrive by voting against the resolution reported by the Joint Committee. Those who desire the report of that Joint Committee to be adopted as it is must say "aye," the contrary "no."

Mr. MUDGE, of Massachusetts. How can we get the question again before the House?

The PRESIDENT. If the report is rejected it can be recommitted; but not if adopted.

The vote being taken by Dioceses and Orders, resulted as follows:

CLERGY—Dioceses voting 40; ayes 21, noes 15, divided 4.

LAITY—Dioceses voting 36, ayes, 22, noes 13, divided 1.

The PRESIDENT. The report is concurred in.

Mr. DE ROSSETT, of North Carolina. I think the Constitution requires that for the carrying of any measure, a majority of the Dioceses represented must necessarily be in favor of it.

Mr. JUDD, of Illinois. That is the very question I have wanted for some time to discuss, but the House would not hear me. I think, however, there is a majority of all the dioceses voting for that proposition.

The SECRETARY. There are 40 dioceses, represented by either clerical or lay Deputies. Of these there are of the clergy 21 ayes, and of the laity 22 ayes.

Mr. McCRADY, of South Carolina. Do you mean that there are only 40 represented at this session, or that 40 is the number voting?

The SECRETARY. We have only 40 dioceses.

RITUAL UNIFORMITY.

Mr. SHEFFEY, of Virginia. I offer the following resolution:

Resolved, That the Canon on Ritual be made the order of the day for thirty-five minutes past 1 o'clock this day, and be continued the order at 11 o'clock A. M. to-morrow, and until the same be disposed of.

The Rev. Mr. CURRIE, of Rhode Island. There is an order already set for 2 o'clock to-day.

Mr. SHEFFEY, of Virginia. The order for 2 o'clock will have precedence of it unless the House postpone that order; and also the order for 7:30 to-night will have precedence of this order unless the House postpone that.

The Rev. Mr. ROGERS, of Texas. I know there are important matters to come before this House, some of which have not yet come from the House of Bishops. The matter of Ritual has but little to do with the working of this Church compared with other great matters that have yet to be decided. The Church has yet to stretch out her arms to do her work rather than to close them, and it rests with you whether she shall stretch her arms and do her work, or whether you will vote simply upon how she shall do it, and what garments she shall wear. I hope you will put your foot upon this matter of Ritual, and leave us to do the work of the Church, where souls are waiting for us to send them help. It seems to me that this is one of the most remarkable movements, when we are at the very heel of our session. You know that the great questions which are to be decided have not yet come into this body. You know that the questions that went out from you this morning may yet be sent back here, perhaps by the House of Bishops. They are to-day considering a matter that has been considered here, and it is more than doubtful whether it will pass. They are desiring that the work of the Church should be done, that she should array herself in the garments of war and not of costume for the mere eye of the people, but that she should go on to do her work where her work lies; and now you are taking away the last hours of this session, condemning her to wait for three years shut up within the limits where she is now shut up, that you may talk about what her ministers shall wear. It is an outrage upon Christ's kingdom in the earth. I do not mean to say one single word against those gentlemen who have brought this question forward, because they are not aware, perhaps, of what is yet to come before us; but I do ask that this Convention will let its work to go on, and leave its play for another time. I move the indefinite postponement of this whole question of Ritual.

The PRESIDENT. That question is not before us.

The Rev. Mr. ROGERS, of Texas. Then I will make another motion which takes precedence, that this resolution be laid on the table.

The Rev. Dr. PADDOCK, of Long Island. Before the vote is taken, I would thank the Chair to state the force of that motion.

The PRESIDENT. The force of the motion is only to lay that resolution on the table. It does not lay anything connected with the Canon on Ritual on the table, because that is not before us. This is intended by the Deputy from Virginia to be preliminary action.

The Rev. Dr. PADDOCK, of Long Island. Is it designed to signify, by this extraordinary process, that no attempt shall be made here again this afternoon, or in any other way to put in any favorable position a question which has occupied two days already, and which is now to be smothered by a motion of this sort?

The PRESIDENT. The motion has no effect of that sort whatever.

The motion to lay on the table was not agreed to.

The PRESIDENT. The question recurs on the resolution of the Deputy from Virginia.

The Rev. Dr. LYMAN, of California. I call for a division. There are two questions involved in the resolution: one to make this subject the order at one o'clock and thirty-five minutes, and at eleven o'clock to-morrow, and then to be continued until disposed of.

Mr. JUDD, of Illinois. I was about to move to strike out that part of it, because that will exclude all other business.

The Rev. Mr. ROGERS, of Texas. I am willing the subject shall come up, but I do not want it to exclude all other business.

Mr. SHEFFEY, of Virginia. I ask that the question may be taken on the resolution as it stands. If the order is fixed for thirty-five minutes past one, as soon as two o'clock comes it will be suspended by the order of the day for that hour, and if that should be continued until the adjournment, we shall have but fifteen minutes given to the consideration of this subject, which will not be time to enable my friend from Illinois to finish his speech.

The PRESIDENT. A division of the resolution is called for, so that the vote shall first be taken on that part of the resolution making the subject the order now and to-morrow at 11 o'clock, and then on the latter portion, to make it a continuing order.

The Rev. Dr. WILLIAMS, of Georgia. What is the order for two o'clock?

The PRESIDENT. The question of Sisterhoods

The Rev. Dr. WILLIAMS, of Georgia. I move to amend the resolution by striking out all after the word "Resolved," and inserting a proposition to take up at once the question in regard to Sisterhoods, dispose of that, and then proceed to this question and dispose of it.

Mr. SHEFFEY, of Virginia. So far as I am concerned, I will not move to postpone any order of the day. All I desire is that this grave question shall now be an order of the day.

The Rev. Dr. WILLIAMS, of Georgia. To commence this question now, with only half an hour to dispose of it, is just to throw that time away, because in the very midst of the speech of the gentleman from Illinois, we shall have to proceed to another order. I propose as an amendment that we take up the question of the Sisterhood now, and, immediately after that is disposed of, the question in regard to Ritual, and continue it as the order of the day until disposed of.

The Rev. Dr. LEEDS, of Maryland. No question of graver interest has come before this House than

that which we are now called upon to make the order of the day. At the last Convention a committee was appointed to prepare a report on this subject, the House of Bishops themselves in the meantime taking it into their charge, and now we are called upon to dismiss it just as we are in the midst of a discussion which has been very full of ability, for the most part very temperate and candid, to which I have given ear at every stage with the greatest interest, and upon which I think we need light. There are some leading points that have not yet been hardly touched in this great discussion, upon which, in my mind, the whole question turns. It all circles about two great points, which have hardly had a handling in the discussions of this Convention. I must call on this House also to bear witness that on Saturday, while one after another in the way of remonstrance against any action was heard with profound patience, very little in the way of any advocacy of action was said.

I think it the part of supreme wisdom and the part of Christian charity that we should have all the light thrown upon this subject which this Convention can bring to bear upon it from every contributing source, and that we shall decide upon it wisely and in the fear of God and the love of His Church. There may be a proposition which, if this Canon fails to pass, may be brought before this body that possibly will harmonize all views and conciliate all sentiments. I hope it may be so; but let us not stultify ourselves and our past action by simply dooming it to burial in the midst of a discussion to which the ears of all the Church are open, not only here, but on which their eyes are intent with every morning's issue of the proceedings of this body.

The Rev. Mr. SPAULDING, of Pittsburg. I should like very much to have the order of the day for two o'clock come up now. The mover of this resolution, I think, is willing that it should.

Mr. SHEFFEY, of Virginia. If the House unanimously agree that that order of the day shall come up now I have not the slightest objection to it, with the understanding that this matter shall then be the order of the day and proceeded with and disposed of.

The Rev. Mr. SPAULDING, of Pittsburg. This matter will consume but a few minutes, I think, and it is now before the House.

The PRESIDENT. We are within a few minutes of the time when we shall have to take it up, and if it is unanimously agreed to take up that subject and get it out of our way, it will be so understood.

The Rev. Dr. GOODWIN, of Pennsylvania. With the understanding that this other subject comes up after and be continued until disposed of.

The PRESIDENT. This resolution will come up again to be acted on by the House.

The Rev. Dr. PADDOCK, of Long Island. I desire to make a suggestion to the distinguished lay member from Virginia, which possibly may harmonize all views. I offer it only as a suggestion. It is quite evident that there are many earnest hearts in this House wanting really to take hold of this subject of Sisterhoods this afternoon. I, for one, thoroughly desire so to do. I, for one, expect to be obliged to vote, even if we should carry this resolution, when the hour for the order of the day arrives, to displace it and go on to the subject of Sisterhoods. I think we all agree on that; but we do not all agree that the subject shall be pushed off, no one knows when, to some time when the House is thin. I want to have the fairest possible play, as men say, in this matter.

Now, I ask the lay Deputy from Virginia, whether he will not consent to an amendment of his resolution, leaving out all reference to to-day, making this subject of ritual the order of the day to-morrow at 11 o'clock, and thenceforth until it be finished?

I desire to say one word further. Unless we make up our minds to look this matter fairly in the face as Christian men and brothers, and not say that we will not let it get a foothold here again, unless we are disposed to deal fairly by each other, and have an understanding that this subject shall come up to-morrow, and that we shall hear all who want to be heard, and will continue it as we did the Hymnal matter, until we have come to a decisive vote, the subject will be unfairly dealt with. There are men in this House who have sat most patiently during very long speeches of gentlemen voting, probably, on the opposite side from themselves, and who have not been greedy to press forward, who have not left their seats in remote parts of this House; and now, unless this House is disposed to do as it did in the Hymnal matter, and say it will take this subject up and will appoint an hour for its consideration, and will stand by and finish it up, great injustice will be done to some members of the House. I hope, if the gentleman from Virginia accepts the amendment as a sort of compromise, the word Ritual will not be heard on this floor this afternoon, but will be heard to-morrow at 11 o'clock, and will continue to be heard until all who desire have spoken on the subject, and we come to a manly, conscientious vote. I, for one, do not want to go away from this House as if I had dodged a question which, whatever may be said of it, is deemed by a considerable number of this House to be one of great importance.

The Rev. Dr. VINTON, of Massachusetts. I suppose all would agree to that proposition but for one consideration, and I dare say the Convention are as much interested in it as I am, namely: That the honorable gentleman from Virginia must leave town to-morrow, and I am sure if the Convention feel at all as I do, they would be very loth indeed to have him go without giving utterance to those convictions of his, which must be enlightened, which are probably conservative and conducive to the best interests of the Church that they should be carried out. I do not know what they may be; but whether I should personally be disposed to agree with him or not, still I think the Church has a claim upon him for the utterance of his views; and if his convenience or his necessities compel him to go to-morrow, I think we should appoint a given time in which, before he goes, we may have a chance to hear what he desires to say on this subject. Therefore I wish my reverend brother would so modify his motion as to give Judge Sheffey an opportunity to be heard now.

Mr. SHEFFEY, of Virginia. No, no.

The Rev. Dr. VINTON, of Massachusetts. It is no more than a proper act of courtesy, and I think of justice to the subject, whichever side the gentleman takes, and I do not know which he will take, that he should be heard; that we should have the benefit of his counsel.

The Rev. Dr. AYRAULT, of Central New York. I beg to say that this question of Sisterhoods is one of importance and yet one on which there is not much difference of opinion, while on the question of Ritual there is a very great and important difference. It seems to me, therefore, of the greatest and utmost importance while so many members are present on the floor that the subject should be considered first and foremost, and disposed of finally, and then we should be at perfect liberty to consider immediately, as fully and fairly as we can, the other question.

The Rev. Dr. BABCOCK, of Massachusetts. If the Convention be of but one mind on the subject of Sisterhoods, it is no matter whether we have ten or three hundred members present when it is acted upon. Assuming that the premises of the gentleman are right, I do not see that his argument is good to delay the motion of the member from Virginia. I therefore hope that question will be taken now, on the very ground that we are all of one mind in regard to the Sisterhoods, and it will occupy no time, and therefore we can put it off until to-morrow and let twenty men on the floor decide, as the gentleman says we should all decide.

The Rev. Mr. SPAULDING, of Pittsburgh. The question of Sisterhoods could have been settled in less time than this debate has occupied.

The PRESIDENT. But unanimous consent has not been given to its consideration, and the question now recurs on the resolution of the deputy from Virginia, a division of which has been called for. The question therefore, now, is on the first part of the resolution, making the Ritual report the order of the day at once, and to be continued to-morrow at 11 o'clock.

The motion was agreed to.

The PRESIDENT. The question recurs on the other branch of the resolution, that it shall be considered as the order of the day until disposed of.

The motion was agreed to.

RITUAL UNIFORMITY.

The PRESIDENT. Mr. Judd, of Illinois, now has the floor on the Canon reported by the Joint Committee on Ritual uniformity.

Mr. JUDD, of Illinois. Mr. President, when this House adjourned on Saturday, I was considering some objections to the proposed Canon offered by the Joint Committee, and particularly with reference to its exclusive character; that is to say, that it declares that the Ritual law of this Church "is as follows," thereby excluding all other law except that specifically named. I think this is a proposition which no lawyer, at least, will dispute. I was arguing that there was much other law than that specified in this proposed Canon which, at present, is the law of this Church, and which the action of this Convention cannot by any possibility abrogate, because the general law of the Church, the ecumenical law of the Church, cannot be abrogated by a Provincial Council or by a National Church. I referred to the fact, first, that the ecumenical law of

the Church, so far as applicable, was in force here to-day in this Church, and I had gone on, after having fairly referred to that proposition, to the suggestion of another, that the Canon law of the Church of England was brought by our forefathers to this country, and was an addition to the law of the Church, and hence that when we undertake to exclude any portion of this law we are treading upon dangerous ground.

I was about to proceed, before going back to the Ecumenical Councils and the ecumenical law, to another proposition, and that was that we have in this Church of ours a common law as well as the State has a common law, and when you undertake to define in this Canon, as it is attempted to do, what is the Ritual law of the Church, you cut out, you destroy the force of the common law, to which also I am opposed. I insist that it will be exceedingly dangerous to tread upon this ground for many reasons. If you declare this specific law which is here proposed, you exclude all these various sources of law, and you cut off much valuable authority in this Church, and authority and law which on various questions must at various times be resorted to for the benefit of the Church.

I shall try not to occupy the attention of this House to any considerable extent, and I should leave the floor now except that I feel it my duty to go on with this discussion—not that I expect to be able to change the opinions of members, but that I may throw out suggestions upon which they may reflect. I hope they will give them some consideration, as I intend to give the suggestions of those opposed to me consideration and weight.

I come back to the consideration of the matter of ecumenical law. I know there are those who deny that that law is in force in this Church, but I apprehend there are but few who deny it. If for no other reason than that this proposition put forth here wipes out all ecumenical law on this question and inferentially establishes a precedent as to other questions which may come up, I should vote against it.

In order that I might not occupy the attention of Convention to too great length, I have taken the trouble of collecting some extracts from the Ecumenical Councils as to the authority of their Canons and of their definitions of faith, and also some extracts from the fathers and chief men in the Church, and also references to some of the laws of the Church of England and of ours upon this very question. I will refer to those extracts that I may occupy as little time as possible, and I shall not read the books, but if they shall be called for, I will undertake after a while to produce them.

I start out with the first proposition relative to the ecumenical law, that it is binding. I start out with the proposition which has been maintained by many of the fathers of the Church, and I shall only quote from a few of them, that these laws were the enactment not only of the holy fathers in General Council, but they were the enactment of the Holy Ghost. These Ecumenical Councils, I need not say

to this learned and intelligent body, were composed of Bishops, representatives of the Church from all the world, and their enactments and their definitions were accepted by the Church throughout the world; and again I reiterate that these enactments, these definitions of faith by the Ecumenical Councils cannot be interfered with by this Church or any other national council.

The Council of Nicæa, in their Synodical Epistle, said that what had "been decreed" by them they believed to have "been done" "according to the good pleasure of God the Father, in the 'Holy Ghost.'"

The Seventh Canon of Ephesus speaks of the Creed settled by the Holy Fathers at Nicæa "with the Holy Spirit."

Basil the Great gives full and unqualified endorsement to all the enactments of the Ecumenical Councils.

St. Chrysostom says of the Nicene Canons that "Christ decided everything and enacted the laws."

St. Augustine, of Hippo, also fully recognized the authority of these laws and of these definitions.

Leo the Great, and the last, I believe, of the Latin Fathers (spoken of by the Council of Chalcedon as "the most Holy Archbishop Leo"), speaks of the Nicene Canons as "the Canons of the Holy Fathers which have been composed by the Spirit of God;" and in another place as "the enactments of the Holy Ghost," and in still another place he says they are "to endure to the end of the world."

Gregory the Great, in a Synodical Epistle, written according to the custom of the patriarchs of Rome to the four other patriarchs of the Christian world, says of the first four General Councils: "I confess that I receive and reverence the four Holy Councils as I do the four books of the Holy Gospel."

Justinian, in a decree, declared among other things as to the first four General Councils as follows: "We receive the decrees of the Holy Councils aforesaid just as the Holy Scriptures, and we keep their Canons as laws." Justinian, it is hardly necessary for me to say, was a great theologian as well as law-giver.

The second part of the "Homily of the right use of the Church," speaks of the "primitive Church," when these Canons were adopted, and which nobody will dispute came down to the middle of the fifth century as "most holy and godly;" and "the first part of the Homily on Fasting" appeals to the Chalcedon Council as "one of the four First General Councils" in reference to the practice of fasting in the "primitive Church."

The PRESIDENT. I am compelled to interrupt the gentleman. The hour for the order of the day, fixed for two o'clock, has arrived.

The Rev. Mr. HANCKEL, of Virginia. I move its indefinite suspension.

The Rev. Dr. PADDOCK, of Long Island. I hope that motion will not pass. I stand up for fair play all around. I hope that the gentleman from Illinois will be allowed to finish his speech, and that then the order of the day will be called up.

The Rev. Mr. HANCKEL, of Virginia. I withdraw the motion.

The Rev. Dr. AYRAULT, of Central New York. I offer a resolution that the order of the day be laid upon the table to be called up at any time when circumstances seem to render it desirable.

The Rev. Dr. LEEDS, of Maryland. It seems to me that this would hardly be acting in good faith. Many persons voted for the resolution offered by the learned member from Virginia with this distinct understanding.

The Rev. Dr. HUNTINGTON, of Massachusetts. I think the friends of the Sisterhood question are perfectly willing that it should be deferred until the gentleman on the floor has finished his speech, with the understanding that it shall then at once be taken up.

The Rev. Dr. HARE, of Pennsylvania. I call for the order of the day according to the fifth rule of order.

The Rev. Dr. AYRAULT, of Central New York. I ask that the question be taken on my motion.

The Rev. Dr. HARE, of Pennsylvania. That motion requires a two thirds vote, I think.

The Rev. Dr. GOODWIN, of Pennsylvania. If the order of the day is once taken up, it may be laid on the table without a two thirds vote.

The PRESIDENT. It is taken up now.

The Rev. Dr. GOODWIN, of Pennsylvania. Then the motion does not require a two thirds vote.

The Rev. Dr. HARE, of Pennsylvania. I beg to ask for instruction? Could words be more precise than those of our fifth rule of order?—

"The House shall proceed to the order of the day at 12 o'clock precisely, unless dispensed with by a vote of two thirds of all the members present."

To say that the order of the day has been taken up, surely is mere fiction. We do not in that way get rid of a plain rule of order, not to mention that we have, as it were, promised persons whose time is precious that we will take up this thing at a specific hour.

The Rev. Dr. NORTON, of Virginia. I ask my friend to withdraw his motion to lay on the table and let this question of Sisterhoods come up. That is the fairest way.

The Rev. Dr. AYRAULT, of Central New York. Only on condition that there shall be no discussion about that question of Sisterhoods, because this matter is pressing, and a large number of this House will not be able to remain here for any considerable time. If it can be passed without discussion I shall not insist on my motion.

The PRESIDENT. The order of the day has already been announced.

ORGANIZATION OF CHRISTIAN WOMEN.

The Rev. Dr. SPAULDING, of Pittsburgh. If the House will permit me to do so, I withdraw the resolution now before the House, to which objec-

tions were made. I think the objections were merely verbal and grammatical, but I withdraw that resolution and substitute for it the following, clearing it of all the difficulties that were felt in some minds:

Resolved, That it be further recommended to establish in every diocese, where practicable, an institution for the training of Christian women for the various works of mercy for which their services are needed, that when qualified they may be employed in missionary and other Church work, under the direction of the Bishop and parochial or missionary clergy; such women to be under rules and regulations approved and sanctioned by the Bishop, with full and uncontrolled liberty to each, and whenever she shall think fit, to leave the institution, but those who persevere in the service undertaken to have the assurance of support in sickness or advanced age.

The resolution was adopted.

The Rev. Mr. HUNTINGTON, of Massachusetts. I shall detain the House but a very few moments, but I must be allowed to remind them that the resolution which I hold in my hand has already been passed by them and was only rescinded in compliance with a formality. It was passed by an almost unanimous vote. It is an independent resolution, and is as follows:

Resolved (the House of Bishops concurring), That a joint committee, to consist on the part of this House of three members of each order, be appointed to sit during the recess to report to the next General Convention, on the expediency of reviving in this Church the primitive order of deaconesses.

There is an uncertainty as to the meaning of that word "deaconess." There is an uncertainty as to the ecclesiastical status of the persons so named. We want light. I believe in proceeding in a clear-headed way in these matters. This does not in the least conflict with the other resolution that has passed. It is supplementary to it. When we get women trained in these institutions, then we shall be prepared to say what their ecclesiastical state is. I will not detain the House, although I would gladly do it if we had time, with an argument on the subject. I am perfectly willing that the question should be put now.

The resolution was adopted.

SYSTEM OF EVANGELISTS.

The Rev. Dr. BEERS, of Wisconsin. The report of the committee on the State of the Church, on the subject of evangelization, brought up by a memorial from the Western Convocation of the Diocese of Iowa, was laid on the table. I desire to have some time fixed when it may be the order of the day when the subject that has been made the continuous order is disposed of.

The motion was agreed to.

TERRITORIAL DELEGATES.

The Rev. Dr. McNAMARA, of Nebraska. I move that the order of the day for to-morrow evening at 7 o'clock, be the report of the Committee on

Canons, with reference to a partial representation from missionary districts, Dakota especially.

The motion was agreed to.

DOMESTIC AND FOREIGN MISSIONARY SOCIETY.

The Rev. Dr. LEEDS, of Maryland. I beg to ask a question touching a time when the Committee on the Domestic and Foreign Missionary Society may present their report. We are not anxious to crowd it on the attention of the Convention. I should like to have it to-night after the discussion on the interesting subject which will occupy us, of Christian Education, has been disposed of. Perhaps that will not occupy the whole of the evening. If that may be the understanding, I shall be glad of it.

GENERAL THEOLOGICAL SEMINARY.

The Rev. Mr. FARRINGTON, of New Jersey. The Committee on the General Theological Seminary, one of our regular standing committees, is ready to report. We have a list of trustees prepared which must go to the House of Bishops for their approval. It is very important that we should have an opportunity to present this brief report. I am afraid there will be no time to-morrow morning.

The PRESIDENT. If the House is willing it can be received now.

Several DEPUTIES. Let it be read.

The Rev. Mr. FARRINGTON, of New Jersey. I read the report at the suggestion of the chairman.

The Committee on the General Theological Seminary respectfully report that they have examined the Triennial Report of the Board of Trustees to the General Convention, referred to them by this House, and regret to find that the trustees are still embarrassed in their efforts in behalf of theological education by the want of sufficient means. The report gives an estimated deficiency of income, for the present year, of \$2,117.88, and discloses the mortifying fact that during the year previous to the last annual meeting of the trustees, in June, the total amount of contributions from the whole Church in the United States, was only \$77.51.

The Committee further report that they have carefully considered the amendment to the Constitution, reducing the number of clerical and lay trustees, proposed by the Rev. Mr. Buel, of the Diocese of Albany, and they are not prepared to recommend its adoption by the House. The Board of Trustees, as at present constituted, is undoubtedly too large; but the Committee are clearly of the opinion that changes in the Constitution, by which the size of the Board is to be reduced, should first be considered and adopted by the trustees themselves.

The Committee, in the discharge of their duties, have prepared the accompanying list of clerical and lay trustees, which after being passed upon by this House is to be sent to the House of Bishops for its approval. This has been prepared from the list of trustees prefixed to the printed proceedings of

the last annual meeting of the Board, and from canonical certificates I received from the following dioceses:

I will not read the dioceses.

The committee report the following resolutions for adoption by this House:

Resolved, That the attention of the Church at large is hereby called to the claims of the General Theological Seminary upon the liberality of all who are interested in the cause of theological education, and in the welfare of an institution established by the General Convention for the training of candidates for Holy Orders from all the dioceses.

Resolved (the House of Bishops concurring), That the trustees named in the accompanying list be confirmed as members of the board for the next three years.

Resolved, That action upon the proposed amendment to Article 3 of the Constitution of the Seminary is at this time inexpedient.

All of which is respectfully submitted.

This is signed by William Shelton, chairman, and also by a majority of the other members of the committee. I move that the second resolution be passed and the trustees named therein be confirmed, in order that the list may be sent at once to the Bishops for their concurrence.

The motion was agreed to.

The Rev. Mr. FARRINGTON, of New Jersey. I now move a concurrence in the other two resolutions.

The motion was agreed to.

EPISCOPAL SUPERVISION.

The Rev. Dr. LYMAN, of California. I desire to call the attention of the House to a matter which will not occupy two minutes. A Canon was passed this morning in reference to the Dioceses of California and Texas, and others similarly situated. Since its passage I find that on Saturday there was a Canon passed stating that Canons shall not go into effect until the first of January unless otherwise ordered. I merely wish to move that the Canon to which I refer shall go immediately into effect after its passage by the other House, the House of Bishops concurring.

The motion was agreed to.

RITUAL UNIFORMITY.

On motion of the Rev. Mr. Gregg, of Illinois, the House resumed the consideration of the Canon reported by the Joint Committee on Ritual Uniformity.

Mr. JUDD, of Illinois. Mr. President, when I was interrupted by the order of the day I was referring to reference to the Primitive Church made in the Homilies. I now desire to re-state, as one of these, lest I may not have mentioned it,—I have forgotten whether I did or not,—that the first part of the Homily of Fasting appeals to the Council of Chalcedon as "one of the four first General Councils" in reference to the practice of fasting in the Primitive Church.

"The first part of the Homily Against Peril of

Idolatry" states that "the Primitive Church" was most pure and incorrupt."

The Office for the Consecration of Bishops in this Church, and also in the Church of England, refers to "the ancient Canons" as authority, just before the examination by the officiating Bishop of the Bishop elect, and it speaks of those Canons as "commanding," and hence must be obeyed.

The Lambeth Conference in 1867 expressly recognized the authority of "the first four General Councils."

And now, sir, I desire to say, if you wipe out the authority of the first four General Councils, you have no authority whatever for the Canon of the Holy Scriptures. The Provincial Synod of Laodicea first adopted the Canon of the Holy Scriptures, and the enactments of that and other preceding Synodical Councils were re-enacted by the first Canon of Chalcedon, and hence gave Canonical sanction to this Canon of Scriptures.

Now, Mr. President, if I am asked whether there be any provisions in the Ecumenical Canons concerning ritual, I answer that there are; but I shall not detain this House to discuss them, nor to refer to them. It is enough that there are provisions there, and some very essential ones. Some of them have been re-enacted in England and this country. But if you establish the principle that by the enactment of such a Canon as this, you can wipe out all law except the law of this Church, then if this Church should undertake to repeal these provisions upon ritual, we have no other law; we have not the Ecumenical law. If the notion is to prevail that the Ecumenical law is not over and above the enactments of the Councils of this Church, or of any other Synodical Assembly, then I say you establish the most dangerous precedent and the most dangerous rule.

In a short time I shall have occasion to refer to the ancient Liturgies, and I shall pass rapidly over this question. These ancient Liturgies, without exception, were all adopted during the time of the primitive Church, when, it is said by our own homilies, that that Church was most pure and incorrupt; and I think it will behoove members of this body to examine well those Liturgies, and see what they contain, before they put upon them the impress of their condemnation—not that I am advocating here the proposition that these Rituals and Liturgies are binding upon us, that we must adopt them, because there is an answer to all that. I do not wish to be understood as going to that extent; but I say that if this body, by its action, shall undertake to condemn some of the precise things that were approved in the Primitive Church, you thereby condemn the Primitive Church as heretical, if heretical these things are; and I undertake to say further, and while on this question I might as well go on with it, that in all the five patriarchates of the whole world, there was not one solitary Liturgy in the Primitive Church that did not go far beyond the ritual of our day, and in all those Liturgies you will find many of the practices which to-day horrify so many of our friends, and which I myself am not accustomed to, because, as I said in the opening of what I had to say, I am not a Ritualist, and I may add to that, that I am not the son of a Ritualist.

I will refer now to some of the Canons of the Church of England, and I want to call attention to the action of the House of Bishops of this Church in 1808. This was referred to by one of the deputies on the floor, but the fore part of the proposition was not read, and hence I refer to it again. I take the ground now, as I took it before, that the Canon law of the Church of England, and the common law of the Church of England, so far as applicable, are in force here to-day, whether in use or not. And while upon this question of "use," and the distinction between it and "force," let me refer to the language of the proposition before us. The Canon proposed by the Committee uses the language "in use before the year 1789;" the resolution is "in use in 1789." I wish to inquire who are to determine what was in use then. If you try a clergyman under any such canonical provision as this, where is your proof, how are you going to establish it? It is said that you want to raise a committee for the purpose of finding out. Does that make it evidence? Suppose the Committee report that such and such Canons were in use, is that evidence? You must apply the rules of evidence from the laws of the land when you come into ecclesiastical courts. One man will say that this thing was in use, and another man will say it was not in use at and prior to 1789, and then you go to certain authorities. Most of these, perhaps, say that certain Canons were in use, and others that they were not in use. How are you going to determine between them? On the ground that these are standard works? I apprehend not, because you cannot introduce in evidence standard works upon any such proposition as this,—a mere question of fact which is not a question of science or one as to which experts may be called. Hence you open a wide door of trouble, you accomplish nothing whatever, and then if we adopt any provision at all, I am in favor of coming squarely out and using the term "in force" instead of "in use," because all of us, I apprehend, know well the distinction between the Canons and laws in use, and those in force. Many laws are on our statute book which are not brought into use, because the occasion does not arise sometimes, and at other times because it is thought expedient not to enforce those laws. Then will you say that they are not laws of the land simply because they are not brought into requisition? I apprehend not.

I may illustrate by reference to what I understood some years ago was a fact in regard to an ex-President of the United States from Virginia, who had made himself unpopular—I refer to ex-President Tyler. He retired to his home, and out of derision, or in some way, his neighbors were induced to elect him to the high office of pathmaster or roadmaster or overseer of the roads, whatever he may be called. He accepted the office, entered upon its duties, hunted up some old laws that were not in use, and those gentlemen became pretty well satisfied before they got through, because he enforced the laws of Virginia in respect to the roads and working upon them, and he kept at it until he made most capital roads for the whole neighborhood and community where he lived. Now this is merely an illustration. That law be-

fore, as it was said, had been a dead-letter, had never been observed, but nevertheless it was the law. So I say that these Canons of the Church of England, so far as they have not been repealed by the action of this Church, and so far as they are applicable here, are the laws of this Church to-day enforced; and if we are going to declare what is the law, let us declare in favor of the laws in force, not merely those in use, because those in use in 1789, and before, that are not enlarged enough for this great Church of ours in 1871.

Now let me refer to the action of our House of Bishops in 1808:

"The House of Bishops, having taken into consideration the message sent to them by the House of Clerical and Lay Deputies, relative to the subject of marriage, as connected with the table of degrees, within which, according to the Canons of the Church of England, marriages cannot be celebrated, observe as follows:

"Agreeably to the sentiment entertained by them in relation to the whole ecclesiastical system, they consider that table as now obligatory on this Church, and as what will remain so, unless there should hereafter appear cause to alter it, without departing from the work of God, or endangering the peace and good order of this Church."

They referred the matter of its being enforced back to the Canons of the Church of England. Now I come to the action of both Houses of the Convention in 1804. I refer to page 310 of the book which I hold in my hand. The declaration by the House of Bishops is as follows:

"It having been credibly stated to the House of Bishops that on questions in reference to property devised, before the revolution, to congregations belonging to 'the Church of England,' and to uses connected with that name, some doubts have been entertained in regard to the identity of the body to which the two names have been applied, the House think it expedient to make the declaration, and to request the concurrence of the House of Clerical and Lay Deputies therein, that 'The Protestant Episcopal Church in the United States of America' is the same body heretofore known in these States by the name of 'The Church of England'; the change of name, although not of religious principle in doctrine, or in worship, or in discipline, being induced by a characteristic of the Church of England, supposing the independence of Christian Churches, under the different sovereignties to which, respectively, their allegiance in civil concerns belongs. But that when the severance alluded to took place, and ever since, this Church conceives of herself as professing and acting on the principles of the Church of England, is evident from the organization of our Conventions, and from their subsequent proceedings, as recorded on the Journals."

The following paragraph says: "The above declaration"—there is a little more of it not bearing on this point—"the above declaration having been communicated to the House of Clerical and Lay Deputies, they returned for answer that they concurred therein."

Expressly declaring the identity of this Church with the Church of England, and expressly declaring that the discipline of that body, as well as

its doctrine and worship, was at that time still in force, and if in force then, let me ask when since then have they been repealed or done away with?

In the State our fathers brought from England statute laws in aid of the common law and they are in force here in the State to-day. We brought the common law from England, and brought all the statute law in aid of that common law with us and that is in force as well as the common law. So it is in the Church, the common law of the Church and the statute law of the Church, so far as it is applicable in aid of that common law are in force. The identity is the same. We are part and parcel of the Church of England, only under another name and until you come in and repeal the laws of the Church of England they remain in force.

I might also say that it is a grave question whether the Rubrics are not in force; I mean those Rubrics which were not expressly repealed, or those as to which there was not some prohibition to the contrary. It is true, certain Rubrics were taken up and enacted. It might be argued that was an exclusion of such Rubrics as were not named. But suppose you have no law on a given proposition, where do you go to? Certainly to the law of the Church of England. To illustrate my point, without these Rubrics, you have no law in this Church to-day as to where your chancel shall be. You might as well, so far as the law of this Church is concerned, put it in the middle of the nave. You have no law as to where prayers shall be read. You have no law upon various propositions which I shall not detain this House to refer to. Let me read now the Rubric in the English Prayer Book which has been dropped out of ours:

"The Morning and Evening Prayer shall be used in the accustomed Place of the Church, Chapel, or Chancel; except it shall be otherwise determined by the Ordinary of the Place. And the chancels shall remain as they have done in times past."

If you drop out this law of the Church of England, you have no law on this question; you have to go back to this rubric of the Church of England to find this law. In England the rubric was the extent or maximum of the law of ritual, and the Canon law was the minimum; but it is proposed now to come in here and make the command of this proposed Canon the entire rule, both maximum and minimum. There is no flexibility at all; but you ascertain what the Canons were that were in force at that time, and you say they are the law. This Prayer Book and these rubrics were in force because they were adopted in 1662, even the rubrics concerning ornaments, some 59 years after the Canons of 1603. They are of binding force in England to-day, and I think are of binding force, so far as applicable, here; certainly in many respects. I am not prepared to say to what extent the adoption of the rubrics in our Prayer Book, may exclude the other rubrics, but it is a matter for discussion and a matter of doubt.

This rubric when it was adopted in 1662 was referred to the rubric in force in England in the second year of the reign of King Edward VI. I will not detain the House to consider further that question, but having ascertained that these Canons are in force I want to call attention now to the

18th Canon which has not been fully read but partly referred to, and I shall only read a portion of it. It bears upon various suggestions which I desire to submit for the consideration of the House; but the main one is, that if we are going to legislate in this matter at all, we should not make it exclusive legislation against one party in the Church—if we may refer to parties in the Church, and they are facts which we are to consider. There are those who hold divers opinions, and I do not know how to refer to them very well unless I call them parties. Now we are going to legislate against the Ritualists. I will say here that there are some things they do which I cannot approve; but that does not prove that I must vote for legislation against them. There are also things which our respected friends of the opposite party do and leave undone which I cannot approve of; and amongst these is the pertinacity—no I will not say the pertinacity, but the continual disuse of bowing in the Creed at the name of the blessed Jesus, and I might say that there are occasions when almost irreverence, according to my judgment, has been witnessed in our Churches on the part of those persons, or some of them. I have heard of occasions when clergymen—I might say if I should not be called to order, Bishops have gone into Church, walked deliberately into the chancel, thrown their hat and cane upon the altar and then taken a seat, and in one instance the Bishop not satisfied with that, tipped his chair back and made a mistake and fell flat upon the floor.

The Rev. Mr. CURRIE, of Rhode Island. Is it in order to call in question the conduct of any of the Bishops or to refer to the Bishops? I raise the point of order.

The PRESIDENT. I think we had better go on and let the gentleman get through with his speech.

Mr. JUDD, of Illinois. I do not mean to criticise the Bishops much, but I do not think they are above criticism.

The PRESIDENT. The other matters are quite important enough without bringing in such points.

Mr. JUDD, of Illinois. It is said to be irrelevant. I do not think so. If we are to legislate at all, I want to legislate so that Bishops shall not go and put their hats and canes on the altar, and I want to legislate to require them to bow to that sacred name; and if you are going to legislate at all, gentlemen, come square up to it and legislate on these matters. But I want to legislate, too, on matters of doctrine; because one of those gentlemen insists that we have no Orders in this Church that are Apostolic, and that there is no succession in the Bishopric. I say that is a matter of doctrine; I say it is part of the Gospel system as taught by St. Paul. Gentlemen laugh. I have no doubt they are very much tickled by the proposition, but it is part of the Gospel system as taught by the Apostle Paul; and when he taught this Gospel system he concludes by saying substantially, If any man teach any other gospel let him be accursed.

The Rev. Dr. HARE, of Pennsylvania. The chapter and verse?

Mr. JUDD, of Illinois. If the gentleman will come to my room, I will take the trouble to furnish him the chapter and verse. If we are going into these doctrinal questions, I have no doubt there are men on this floor who are prepared to meet gentlemen upon them; and if they cannot find any clergymen to do it,

I will agree to find them several laymen, not myself among them, who are prepared to meet them. When you come to questions of doctrine, there are plenty of them. They assert doctrines which others assert not to be the doctrines of this Church; they assert doctrines which others claim to be false doctrines in respect to this Church. And, Mr. President, if we are to legislate in respect to these things, let us not make a party matter of it, and legislate against these poor Ritualists alone. I say "poor Ritualists," because almost everybody is after them. [Laughter.] I sometimes am fond of being on the weaker side, and I, for one, am in favor of letting them alone, unless we also have legislation against the other party in the Church. I might say, if we looked to the works of the two, that the Ritualists will bear a very favorable comparison. You find them—where? Everywhere amongst the poor, doing the works of the Church, doing works of charity, doing works of love. A gentleman at my left says "Bah." That is an argument which he can appreciate! Wherever we find the hospitals and the charities of the Church, oftentimes we find the Ritualists; and I cannot help but admire them for this course of conduct. Not that I am defending Ritualism, because I am not. I condemn some of it. But the gentleman who has got this wonderful argument of "bah," was terribly exercised the other day because somebody kneeled upon his knees and smote his breast at the time of the celebration of the Holy Eucharist, somewhere where he had been travelling; and then he took it upon himself to judge of that man; that he was looking out first on one side and then the other, to see whether or not some persons were looking at him. I thought at the time that possibly it would be better not to judge, lest the gentleman himself might be judged. Of course it is not my place to rebuke the gentleman, but when he injects such an argument as that of "bah," in response to suggestions which I make, respectfully, on this floor, I have a right to retort in some measure to the very discourteous method which he resorts to.

The Rev. Dr. MEAD, of Connecticut. I beg pardon if I was discourteous.

Mr. JUDD, of Illinois. If the gentleman does not think this bating business is discourteous, I do not know what would be. Now I will pass on. I should have been nearly through by this time, if I had been let alone.

The Rev. Dr. GOODWIN, of Pennsylvania. Will the gentleman allow me to move to defer our adjournment to-day until 4 o'clock?

The Rev. Dr. UFFORD, of Ohio. I beg gentlemen to remember that we are to have an evening session, and undoubtedly a long one.

The Rev. Dr. GOODWIN, of Pennsylvania. I was desirous of hearing the gentleman from Virginia.

Mr. SHEFFEY, of Virginia. I will say to the House that if I can get the floor whenever it is vacant, I will stay over to-morrow and address the House to-morrow whenever it is their pleasure to hear me.

The Rev. Dr. GOODWIN, of Virginia. I withdraw my motion.

The Rev. Dr. PADDOCK, of Long Island. I suggest that the hour of adjournment to-day be postponed until the gentleman from Illinois shall have finished his speech.

The PRESIDENT. If the House does not forbid it, I shall allow the gentleman from Illinois to proceed for ten minutes beyond the ordinary time of adjourn-

ment because he has been interrupted so much. I think the interruptions have taken up that much of his time.

Mr. JUDD, of Illinois. If I am confined to a special time, I shall be apt to speak longer than otherwise because I am confused by any such confinement. I will try to conclude as soon as I can because I do not wish to occupy the time of the Convention. Now that I have the floor I will proceed to say what I intended to say, and I hope gentlemen will listen, for the question is an important one. The ancient Canon of the Church of England to which I was about to refer, I will read:

"In the time of divine service, and of every part thereof, all due reverence is to be used; for it is according to the Apostle's rule, *Let all things be done decently and according to order*; answerably to which decency and order, we judge these our directions following: No man shall cover his head in the Church or chapel in the time of divine service, except he have some infirmity; in which case let him wear a night-cap or coif. All manner of persons then present shall reverently kneel upon their knees, when the general Confession, Litany, and other prayers are read: and shall stand up at the saying of the Belief, according to the rules in that behalf prescribed in the Book of Common Prayer."

I want this to be put in force if we are to legislate at all on this matter. And now I come to another portion of this Canon which I want recognized as being in force if we are to legislate against another branch:

"And likewise when in time of divine service the Lord Jesus shall be mentioned, due and lowly reverence shall be made by all persons present, as it hath been accustomed; testifying by these outward ceremonies and gestures, their inward humility, Christian resolution, and due acknowledgment that the Lord Jesus Christ, the true eternal son of God, is the only Saviour of the world, in whom alone all the mercies, graces, and promises of God to mankind, for this life, and the life to come, are fully and wholly comprised."

I will read an extract from only one other of these Canons: it is Canon 113, which Dr. Vinton, in his book, says was in use in 1789 and since:

"That if any man confess his secret and hidden sins to the minister for the unburdening of his conscience, and to receive spiritual consolation and ease of mind from him, we do not any way bind the said minister by this our Constitution, but do straitly charge and admonish him, that he do not at any time reveal and make known to any person whatsoever any crime or offence so committed to his trust and secrecy (except they be such crimes as by the laws of this realm, his own life may be called into question for concealing the same), under pain of irregularity."

I refer to this simply to show what we are declaring here; If that was in use in 1789, it is in force to-day according to this Canon. I think it is in force, because it has not been repealed. There are many of these Canons which gentlemen ought to look into and examine if we are to declare them to be in force, but I will not detain the House upon that question.

I have already referred to the common law of the Church, which I say is also excluded by this proposed Canon, but I will not stop to detail matters of common law. They are so numerous and so many, that gentlemen of the Convention will readily recall them.

I have already referred to the Primitive Liturgies. It strikes me that there cannot be so very much

harm in some things which people now condemn if they were recognized and even approved in the Primitive Church, which was so pure and so godly as we have ascertained from the Homilies, was the Primitive Church. We all know about the gorgeous Ritual of the Jewish Church. We all know that Jesus Christ Himself, when in the temple, took part in their ceremonial, and I ask if we ever found Him denouncing the gorgeous ceremonial of the Jewish Church? If so, I do not remember ever to have read it.

The cry is coming up from all directions that there are tendencies to Rome in the Church, and that the things which Ritualists do are tendencies to Rome. Thereby gentlemen beg the question. On the other hand, the Ritualists say they are not tendencies to Rome. Their opponents say that they teach a false doctrine relative to the Eucharist. Their opponents say that they teach Transubstantiation. They themselves say that they do not teach any such thing. They deny it emphatically, in black and white, when called upon. If they are teaching false doctrine, I call your attention to the fact that we have now Canons which will punish any minister of this Church if he preaches false doctrine, either publicly or privately; and gentlemen who have occupied this floor have said that this Canon is simply declaratory of the law as it stands. If we have the law, why reenact it? Why declare what is already the law, when nobody will dispute that we have ample power to punish for teaching false doctrine either publicly or privately? This cry of Romanizing I heard long ago. Long before I came into this Church of ours, because I was raised as a Presbyterian, I heard this cry of Romanizing. Ever since I came into this Church I have heard it. At one time you could not mention the name "cathedral" but it was a Romanizing tendency; you could not put on a surplice but it was a Romanizing tendency; you could not preach certain doctrines, which are now received even by these opposing friends, without being accused of Romish tendencies. But, sir, the Church has got over this hue and cry about Rome; she has got over this denunciation *ad hominem*, so to speak. You cannot establish a fact by simple assertion, more especially when your opponents assert the contrary to be true. That is no argument; it is no reason.

We are told that the lights upon the altar teach a false doctrine. I am not advocating any of these things, but I ask you, do they teach a false doctrine? Ritualists tell me that all they intend to teach by the lights on the altar is the twofold nature of our blessed Saviour, His divine and His human nature; and they symbolize this by the lights on the altar. Others say that they teach something else. Who is to determine that? Should we take the word of those parties who are pursuing the Ritualists with a vengeance which would be worthy of a better cause, or are we to take the word of the Ritualists themselves, who proclaim, and have a right to proclaim, what they believe and what they teach? But if we go into an ecclesiastical court for the trial of this question, it is very easy to determine it. If they do teach false doctrine, that court, after hearing all the proofs, will say so; and the decision of the court, unless there be a court of appeal, is final, subject in some dioceses, at least, perhaps in all, to the approval of the Bishop. Then we have ample provisions in respect to that.

Now as to these Ritualists, I shall take but a moment to read one or two extracts. The time of Edward VI., was immediately after the Reformation,

when we had Churchmen who were willing to give their lives at the stake for the truth; and in the first Prayer Book of Edward VI. it was provided relative to other matters as follows:

"As to touching, kneeling, crossing, holding up of hands, knocking upon the breast, and other gestures,"—

Such as horrified my friend from Connecticut [the Rev. Dr. Mead], on the occasion alluded to—

"They may be used or left as every man's devotion serveth, without blame."

That was immediately after the Reformation. I do not think we should condemn the Reformers. We are getting so that we condemn not only the Reformers, but the Primitive Church, for practices which were resorted to in the Primitive Church, and I think that we should stop and pause, and consider on this matter, before we assume this great responsibility, because if we do not condemn their ritual, we certainly condemn their practices. Every one of the primitive rituals has provision in it for incense even, which my friend has mentioned in his proposed amendment.

Now, as to the choral service, and some of those ritualistic things, which are complained of. If I had time, I would read from Mr. Carlyle on the subject, but I must read from Mr. Beecher, a short extract, and after that I shall have done with reading extracts. Mr. Beecher went to England, and then he went to Edinburgh, and he attended service in a High Ritualistic Church, as I understand; at all events it was a choral service, which a great many people consider as the height of Ritualism. Let me read you what Henry Ward Beecher says in respect to that:

A gentleman on my left says that he is not good authority, but I want to show how this service affected him; and was he afraid he was going immediately over into the bosom of Rome? If it affects Henry Ward Beecher in this way, perhaps it may affect others. I confess these services do not affect me, as they did Henry Ward Beecher. Mark you, what I am trying to get at is, that there are those diversities of tastes, some men are reached in one way, some in another. My learned and eloquent friends on my right may be reached through the intellect, and, perhaps, they always are, and through the subjective purely, while others can be reached through the senses, and moved through the senses, and among them is this same Henry Ward Beecher. I apprehend that they will hardly charge him with Romish tendencies because he was so moved. Let me read what he said:

"The services began. I cannot tell you how much I was affected. I had never had such a trance of worship, and I never shall have such another view, until I gain the gate.

"I am so ignorant of the Church service, that I cannot tell the various parts by their right names, but the portions which most affected me were the prayers and responses which the choir sang. I had never heard any part of a supplication—a direct prayer—sung by a choir, and it seemed to me as though I heard, not with my ear, but with my soul. I was dissolved, my whole being seemed to me like an incense wafted gratefully toward God. The Divine presence rose before me in wondrous majesty, but of ineffable gentleness and goodness; and I could not stay away from more familiar approach, but seemed irresistibly, yet gently, drawn toward God. My soul, then thou didst magnify the Lord, and rejoice in the God of thy salvation! And then came to my mind the many exultations of the Psalms of David, and never before

were the expressions and figures so noble and so necessary to express what I felt. I had risen, it seemed to me, so high, that I was where David was when his soul conceived the thing which he wrote. Throughout the service, and it was an hour and a quarter long, whenever an "Amen" occurred, it was given by the choir, accompanied by the organ and the congregation. Oh, that swell and solemn cadence yet ring in my ear! Not once, not a single time, did it occur in that service, from beginning to end, without bringing tears from my eyes. I stood like a shrub in a spring morning, every leaf covered with dew, and every breeze shook down some drops. I trembled so much at times that I was obliged to sit down. Oh, when in the prayers breathed forth in strains of sweet, simple, solemn music, the love of Christ was recognized, how I longed then to give utterance to what that love seemed to me. There was a moment in which the heavens seemed opened to me, and I saw the glory of God! All the earth seemed to me a storehouse of images, made to set forth the Redeemer, and I could scarcely keep still from crying out. I never knew, I never dreamed before, of what heart there was in the word *Amen*. Every time it swelled forth and died away solemnly, not my lips, not my mind, but my whole being said—Saviour, so let it be."

Gentlemen, if Mr. Beecher, who has mind enough, I apprehend, to comprehend the truths of religion and to be moved by their recital, could be thus moved upon this occasion, cannot other people be moved in the same way? And if I may be allowed to refer to one single instance, because it made such an impression upon me, that I shall never forget it to the last days of my life, I will do so. Some years ago, I was reading a description of an elegant church, which description was penned by the master hand of a gentleman who sits at my right; the story went on to tell of its costliness, its beauty, its grand architecture, its beautiful carvings, and all of its gorgeous magnificence; and then the tale went on to relate the services of consecration and how the processional was rendered, how the choir and the priest of the Lord entered into His gate with thanksgiving, and into His porch with praise, and how the services from beginning to end were rendered with beautiful significance. When I had finished the reading of that story, at his request, to an old gentleman who had lived more than three score years and ten, and who was no worshipper of this Church of ours, who was no lover of it, and lost no occasion to give it a thrust, his head, white from the frosts of many winters, was bended down, and after a moment of silence, he exclaimed with emotion, "And all this fuss and flummery in honor of the humble Jesus!" and then a moment longer and the tears began to rush from his eyes, and furrowed down his wrinkled cheek, and with that gray head of his, bowing down, he sobbed and cried like a little child. If the bare recital of those services will so move an old, stern opponent of the Church, let me ask what the reality itself might do, not with all, but with some? Can we not allow this diversity of worship according to the Preface in the Prayer Book? That is what I ask, that you shall not prevent this diversity; but the Canon declares in favor of uniformity. But I am passing from what I intended to say, and I will go back and close now in a few minutes.

The next proposition to which I desire to call the attention of the Convention is, the suggestion by many that Ritualism involves a point of doctrine, and hence should be put down. I have already referred to it in a measure, but I ask gentlemen if it does involve a

point of doctrine; if it does involve the great Eucharistic question; are we prepared in this summary way and upon so short a discussion as we must necessarily have here, to settle this great Eucharistic question? I apprehend not.

Another argument, which is brought forth here is, that the Lower House, in 1868, asked the Bishops to send us a rubric. The Bishops did not see fit to do it. Gentlemen seem to think that because the Lower House asked that then, we must legislate now. I cannot see the force of the reasoning; I cannot see any reason why because one House asked for a rubric and the Bishops did not give it three years ago, therefore, we must now legislate. I do not think, even if we were bound in any way upon the question of Rubric, which I deny, this House is bound by the former action of another House. Things change and times change.

There are one or two things in the Canon itself that I wish to call attention to. I did want to dwell upon the danger of giving to the Bishops so much power, but I am taking up too much time, and I must stop in a moment. The first thing to which I call attention in addition to what I have already done, is this. "All questions arising concerning Ritual observance, the Administration of the Law of Ritual of this Church, whether for enforcement or for restriction, appertains to the office and duty of the Ordinary, whose official written determination, whether of his own motion, or at the official demand either of a Rector or of a Vestry, shall be held to be the settlement of any question which shall at any time arise concerning Ritual."

While I will yield to none in favor of the power and godly admonition of the Bishop, while I hold that the Bishop is the *Judex Ordinarius* of his diocese, and has all ordinary power and authority of jurisdiction and of discipline, yet that authority and power is defined by law, and I am not prepared to give it into the hands of a Bishop to settle by his own notions of what the law is, what the law shall be that shall govern this Church; and if it does not happen to be repealed, his view of law which shall govern everywhere. I say this is granting too much power; it makes the determination of the Bishop in writing a final settlement of this question, whether it be founded in law or whether it be not; and hence I am opposed to it. But here is a greater and more serious difficulty, perhaps. He must do this on the application of a Rector or a Vestry. If the Rector wants to have him determine the thing, very well; his Vestry may stand by him; but some other Vestry may step in and create trouble. A Ritualistic Vestry may be getting after one of these extremely Low Church Rectors, and so *vice versa*. I am not in favor of permitting this sort of wrangling, the Vestry of one Church starting up a quarrel and appealing to the Bishop to decide as to the proceedings of the Rector of another Church, and so on. I never can and never will vote for either one of those propositions.

There are other objections to the Canon proposed that I will not stop to consider. The last suggestion which I wish to make is this: Some portion of the Church has been disturbed on the question of Infant Baptism, upon the effect of the word "regenerate" in the office for the baptism of infants. While there have been but a very few who have taken the position to which I refer on that question, yet there has been commotion. This no one will deny. I am opposed to any legislation which shall bear upon this either rubrically or otherwise; but I think the course which has been pursued is a most wise one. The Bishops of

this Church have held out to those gentlemen who have tender consciences on that subject the olive branch of peace. Shall we turn around and raise against the opposite party the sword of justice? The Bishops of this Church tried to becalm the tender consciences of those gentlemen. Why should not this House, if it acts at all, try to becalm the tender consciences of the others, instead of raising over their necks the flaming sword? Let us have peace. Let us tender the olive branch. Let us have no legislation upon this question; or if we must have some, then let it be something similar to the resolution which was adopted at the last Convention, and let there be diversity and flexibility, so long as the doctrines of the Church are not interfered with; and whatever may be our mode of worshipping Almighty God, I pray to Him that we may daily breathe in His holy spirit more and more, until we come to His everlasting reward.

The Rev. Dr. VINTON, of Massachusetts. I move that the House adjourn.

The motion was agreed to, and the House adjourned until 7 o'clock, P. M.

[The debates of the evening session will be found immediately following the final adjournment.]

EIGHTEENTH DAY.

TUESDAY, October 24, 1871.

Morning Prayer was said by the Rev. Daniel R. Goodwin, D.D., a deputy from the Diocese of Pennsylvania, assisted by the Rev. Samuel A. Clark, D.D., a deputy from the Diocese of New Jersey; and the service was concluded by the Right Rev. Thomas M. Clark, D.D., LL.D., Bishop of Rhode Island.

The reading of the Journal of yesterday was dispensed with.

LIMITATION OF BUSINESS AND DEBATE.

Mr. BATTLE, of North Carolina. I offer the following resolutions:

Resolved, 1. That after the passage of this resolution, no new subject shall be entertained in this House.

Resolved, 2. That no member of this House shall hereafter speak more than once on the same subject, nor more than ten minutes on the same subject, except on the subject of Ritualism.

Resolved, 3. That the question on the subject of Ritualism shall be taken at three o'clock to-day.

Mr. WITHERS, of Virginia. I call for a division of the question. There are three separate resolutions, some of which some of us are disposed to favor, while we are opposed to others.

The first resolution was agreed to.

The second resolution was read.

The Rev. Dr. BABCOCK, of Central New York. I move to strike out "except on the subject of Ritualism."

The Rev. Dr. ANDREWS, of Virginia. Is it proposed to bring the Ritual report under the ten minute rule?

The Rev. Dr. BABCOCK, of Central New York. Yes, sir.

The Rev. Dr. ANDREWS, of Virginia. I presume the Convention is hardly prepared to vote for that, when the opponents of that report have had two days.

Mr. BATTLE, of North Carolina. I excepted it on that ground.

The Rev. Dr. McNAMARA, of Nebraska. Every man can express his opinions in ten minutes on the subject, as well as on any other. If gentlemen will only concentrate their thoughts, they can do it.

The Rev. Dr. BABCOCK, of Massachusetts. It is well understood that those holding one set of views have had the clear range of words, but others have not had the opportunity to express their opinions.

The PRESIDENT. The question is on the amendment striking out the exception.

The amendment was rejected.

The second resolution was agreed to.

The third resolution was read as follows:

Resolved, 3. That the question on the subject of Ritualism shall be taken at three o'clock to-day.

The Rev. Dr. McNAMARA, of Nebraska. I move to substitute 9 o'clock this evening.

Mr. KING, of Long Island. I move to amend by saying "at or before three o'clock."

The Rev. Dr. HAIGHT, of New York. I do not think we are prepared to settle that question just now. We may be in two or three hours.

Mr. WITHERS, of Virginia. I suggest that the same reasons which in the judgment of this House rendered it improper to restrict debate on the Ritual report to ten minutes, certainly apply with equal force to the resolution just offered. This is the most important subject which can possibly engross our attention during the sessions of this body. It has been debated as yet almost exclusively on one side. It is a subject upon which all who desire it should have an opportunity to present their opinions succinctly and clearly of course. I think that the best interests of the Church will be subserved by not restricting the debate on the subject in the manner indicated in the resolution.

The Rev. Dr. ADAMS, of Wisconsin. I would say in reference to this question, that I have not spoken upon it, and I do not intend to speak upon it, but I think that it will be perfectly and entirely unfair, if each member of this House, clergyman or layman, is not allowed to deliver himself to any degree of extent that he chooses to do so. There will be a sense of unfairness, a sense of being suffocated and strangled on the part of both parties, if they are not permitted to talk to no end. [Laughter.]

The Rev. Dr. PERKINS, of Kentucky. I move to lay the third resolution on the table.

Mr. BATTLE, of North Carolina. I withdraw the resolution.

STANDARD PRAYER BOOK.

The Rev. Dr. HAIGHT, of New York. I ask that the House suspend the order of business for the purpose of receiving a report from the Committee on the Prayer Book. It is a very important question, and will not occupy much time. I submit that motion.

The motion was agreed to.

The Rev. Dr. Hubbard of New Hampshire, presented the following report:

The Committee on the Prayer Book, to whom was referred the report of the Joint Committee of the House of Bishops, and of the House of Canons and Lay Deputies on the Standard Prayer Book;

also certain resolutions of the House of Bishops authorizing the edition of the Book of Common Prayer, administration of the Sacrament, and the other Rites and ceremonies of the Church, Articles of Religion and the Form and Manner of Making, Ordaining, and Consecrating Bishops, Priests, and Deacons, laid before the Convention at its present session, and published by the New York Bible and Common Prayer Book Society, and recommending that it be set forth by this Convention as the standard edition; also recommending the amendment of Section 2 of Canon 17 of Title I., respectfully report the following resolutions:

Resolved, That this House concurs in the resolutions adopted by the House of Bishops accompanying this report.

Resolved, further, That the Committee known as the Committee on Rubrical Discrepancies, appointed in 1865, be discharged, at the request of the Joint Committee.

All of which is respectfully submitted.

R. S. MASON, Chairman.

The resolutions here proposed for adoption, are those sent down by the House of Bishops.

The SECRETARY read the resolutions of the House of Bishops communicated in its message No. 34, as follows:

Resolved (The House of Clerical and Lay Deputies concurring), That the edition of the "Book of Common Prayer, Administration of the Sacraments, and other Rites and Ceremonies of the Church, Articles of Religion, and the Form and Manner of making, Ordaining, and Consecrating Bishops, Priests, and Deacons," laid before this Convention at its present session, and published by the New York Bible and Common Prayer Book Society, be, and the same is hereby, set forth by this Convention as the Standard Edition.

2. *Resolved* (the House of Clerical and Lay Deputies concurring), That Section 2 of Canon 17 of Title I. is hereby amended so as to read as follows:

"§ II. [1.] The octavo edition of the Book of Common Prayer, Administration of the Sacraments, and other Rites and Ceremonies of the Church, Articles of Religion, and the Form and Manner of making, ordaining, and consecrating Bishops, Priests, and Deacons, set forth by the General Convention, in the year of our Lord 1871, and published by the New York Bible and Common Prayer Book Society, is hereby declared to be the standard edition.

"[2.] The stereotype plates of the said edition shall be in the custody of a presbyter, appointed by the General Convention, and no alteration, correction, or emendation of any sort in the said plates shall be made, except under the direction of the said custodian, acting with the advice and consent of a joint committee appointed by the General Convention, consisting of two Bishops and two presbyters; and all alterations, corrections, and emendations thus made shall be reported by the said custodian, in writing, to the next General Convention, and entered upon the Journal of the House of Deputies."

3. *Resolved* (the House of Clerical and Lay Deputies concurring), That the accompanying table, embracing an additional cycle for the years 1881 to

1899 inclusive, which was postponed by the last General Convention, to be inserted in the Book of Common Prayer, in the place of the cycle for the years 1843 to 1861, inclusive, and by a resolution of the said Convention, made known to the Convention of every diocese, be, and the same is hereby, adopted at this General Convention.

4. *Resolved* (the House of Clerical and Lay Deputies concurring), That the Joint Committee on the Standard Prayer Book be continued in charge of the subject of a Table of Lessons for week days in the season of Lent, referred to them at the last General Convention.

On motion of the Rev. Dr. Perry, of Western New York, the members of the Committee on the part of this House were the same as heretofore appointed.

On motion of the Rev. Dr. Perry, of Western New York, the Rev. Dr. Haight of New York was made Custodian.

The following resolution reported by the Committee on the Prayer Book was adopted.

Resolved, further, That the Committee known as the Committee on Rubrical Discrepancies, appointed in 1865, be discharged at the request of the Joint Committee.

The Rev. Dr. Hubbard, of New Hampshire, from the Committee on the Prayer Book, to whom was referred the resolution of the Rev. G. K. Dunlop, asking the opinion of this Committee whether it not be expedient to request the House of Bishops to set forth a service for the burial of persons who cannot because of the rubric in the service, be buried with that service, reported that they do not think such action would be expedient, and asked to be discharged from the further consideration of the subject.

The Committee were discharged.

ACTION ON MEMORIALS.

The Rev. Dr. Hubbard, submitted the following report:

The Committee on the Prayer Book, to whom were referred four memorials presented to this House: namely, 1st, from sundry presbyters asking Canonical leave for any clergyman to omit any words or passages in the Litany which he conscientiously believes to be contrary to Holy Scriptures or to contain doctrines which he is persuaded cannot be proved thereby; 2d, asking consideration for difficulties entertained by many conscientious men in regard to the language in the Baptismal Office, and praying that the suggestion of the nine Bishops may be adopted; 3d, requesting the Convention to determine that whenever throughout the Book of Common Prayer the word "priest" is used it is to be understood as signifying "presbyter" or of equivalent meaning; 4th, petitioning for the restoration of Canon 11, repealed by the last General Convention, entitled "Of persons not ministers in this Church officiating in any congregations thereof;" respectfully report that in regard to the four memorials above mentioned they deem action upon any one of them now inexpedient and ask to be discharged from the further consideration of the subject.

The Committee also recommend unanimously that the memorials to which that report refers, be

kept on file by the Secretary and not printed in the Journal.

Respectfully submitted,

R. S. MASON, Chairman.

The recommendations of the Committee were agreed to.

POINTING OF THE PRAYER BOOK.

The Rev. Dr. Hubbard, of New Hampshire, submitted the following report:

The Committee on the Prayer Book to whom was referred the resolution offered by the Rev. Dr. Clark, of New Jersey, directing this Committee to inquire into the expediency of some legislation to prohibit the introduction into any edition of the Prayer Book purporting to be printed under the authority of any Bishop of the Church of any punctuation or technical pointing points deviating from that of the standard book, would report the following resolution:

Resolved, That inasmuch as any departure from the Standard edition of the Book of Common Prayer is now wholly unauthorized, no further legislation in the judgment of the Committee is required.

Respectfully submitted,

R. S. MASON, Chairman.

The Rev. Dr. ANDREWS, of Virginia. Is that all the committee have to report on the subject?

The Rev. Dr. HUBBARD, of New Hampshire. Yes, sir.

The Rev. Dr. ANDREWS, of Virginia. I should like to amend by adding this:

Resolved, That the Committee on the Prayer Book be requested to inquire into and report whether any editions of the Prayer Book have been issued not duly authenticated, and whether any such editions are now in circulation. Which I believe to be a fact.

The Rev. Dr. HUBBARD, of New Hampshire. We have never seen any. We have seen editions of the Prayer Book with the pointed Psalter which were authenticated.

The Rev. Dr. ANDREWS, of Virginia. Is it not true that in that case, the edition was issued with the approval of the Bishop of New York, dated in 1868, to an edition of the Prayer Book which was copyrighted in 1780. The approval surreptitiously put in as we supposed.

The Rev. Dr. HUBBARD, of New Hampshire. I am not certain about that.

The Rev. Dr. ANDREWS, of Virginia. I am quite certain. I believe the punctuation of the Prayer Book has been ruled to be a part of the Prayer Book; and if they can change the punctuation of the Psalms, they can change the punctuation of the Lessons, and so change the sense.

I think the Committee ought to be instructed to inquire whether such editions of the Prayer Book are now in circulation. I presume the committee will have no objection to making such an inquiry, and I will submit the edition to them before the day is over.

The PRESIDENT. I suppose the gentleman moves to recommit.

The Rev. Dr. HAIGHT, of New York. It will not take any great amount of time. As I understand the matter, the simple question is, whether

the pointing of the Psalter for chanting is at all interfering with the punctuation of the Prayer Book; whether it changes or modifies in the slightest degree the Standard book any more than printing a red line on the page. It will not take three weeks to settle that.

The Rev. Dr. ANDREWS, of Virginia. I move that the report be recommitted, and the resolution I offered with it.

The motion was agreed to.

PRAYER FOR THE PRESIDENT.

The Rev. Dr. Hubbard, of New Hampshire, from the Committee on the Prayer Book, to whom was referred a preamble and resolution offered by Mr. Cornwall, of Kentucky, proposing the taking of initiatory action by this Convention to change the prayer for the President of the United States, and other rules so as to make it conformable to the design of such a prayer as stated in the preface to the Prayer Book, reported that they deemed any action to the end suggested inexpedient, and asked to be discharged from the further consideration of the subject.

The Committee were discharged.

DIVISION OF THE PSALTER.

The Rev. Dr. Hubbard, of New Hampshire, from the Committee on the Prayer Book, to whom was referred the petition of sundry clergymen and laymen asking for the recommendation, and authorization of some uniform division of the Canticles and Psalter in the Prayer Book, to enable the congregations to join in the common praise of the Church without indecision, reported that they had given the subject careful attention, and deemed any action at the present time inexpedient, and therefore asked to be discharged from the further consideration of the subject.

The Committee were discharged.

PSALMS IN METRE.

The Rev. Dr. Hubbard, of New Hampshire, from the Committee on the Prayer Book, to whom was referred the resolution offered by the Rev. Dr. Norton, of Virginia, for the repeal of a certain resolution adopted by the General Convention of 1808, viz.: "Whenever the hymns are read in the celebration of Divine service a certain portion or portions of the Psalms of David in metre shall also be sung," reported in favor of the adoption of the resolution.

The Rev. Dr. NORTON, of Virginia. Mr. President, I do not consider this matter of sufficient importance to waste the time of the Convention, and if you will do me the favor to call me to order in three minutes, if I exceed that time, I shall be obliged to you.

The PRESIDENT. I expect the House are prepared to vote now.

The Rev. Dr. NORTON, of Virginia. Very well; if so I will say nothing.

Mr. SMITH, of South Carolina. I hope the Convention will not adopt this proposition. I think it should be considered, and I have something to say about it.

The Rev. Dr. HAIGHT, of New York. I believe, if there is any discussion, it must go over. The Committee are merely making their reports,

and if any one of them gives rise to discussion, it must go over, because other committees are waiting.

Mr. SMITH, of South Carolina. Let it lie on the table for the present.

The PRESIDENT. The report will lie on the table.

CHRISTIAN EDUCATION.

The Rev. Dr. JACKSON, of Connecticut. I have a report to present from the Committee on Christian Education, if it is the pleasure of the House to receive it at this time. We have been trying for two or three days to get it in.

The Rev. Dr. HAIGHT, of New York. I move that the regular order be suspended for the purpose of receiving the report.

The motion was agreed to.

The Rev. Dr. Jackson, of Connecticut, submitted the report of the Committee on Christian Education, concluding with the following resolutions:

Resolved, That, except where weighty local or special considerations intervene, it is our duty to sustain our own educational institutions by our gifts and our patronage.

Resolved, That the Joint Committee on Education be continued, with authority to prepare and present to the next General Convention a full and well digested report on this subject.

The Rev. Dr. SANSOM, of Mississippi. I would be glad if the gentleman would allow me to offer an additional resolution, to be added to those in that report.

Resolved (the House of Bishops concurring), That a Joint Committee be appointed to consider and report to the next General Convention, whether any, and if so, what means can be adopted for the more thorough organization and efficient operation of our Sunday school system.

The Rev. Dr. HAIGHT, of New York. I believe any discussion is out of order now.

The PRESIDENT. I should think that resolution had better not be offered. We had better act on the resolutions reported by the committee.

The Rev. Dr. HAIGHT, of New York. Unless the resolutions can be passed at once, they must lie over according to our order.

The Rev. Dr. SANSOM, of Mississippi. If it is not in order, I cannot press it.

The Rev. Dr. WILSON, of Central New York, I wish to make a statement before this report is disposed of. I had the honor in 1862 to introduce the rule of order under which this Committee on Christian Education was organized and became a part of this House. I did it at the suggestion of the Bishop of Maryland, who honored me with asking me to introduce it. I have not a copy of that resolution before me; but if you will recur to it, you will find that it was then expressly stated that the Committee on Christian Education, appointed at one General Convention, was not expected to report at that Convention, but they were to do just what your committee now have stated the importance of their being able to do—sit during

the recess and collect the materials, and present us a view of the state and means of education in our Church. I am, therefore, very glad the committee have called our attention to the subject.

I hope the second resolution will pass, and I should be glad to have an amendment made to the rules of order, adding to that clause which provides for a standing committee on Christian education, these words, "To report to the General Convention next subsequent to their appointment."

The PRESIDENT. The question is on the resolutions reported by the committee.

The resolutions were agreed to.

ASSISTANT BISHOPS.

On motion of the Rev. Dr. Perry, of Western New York, message No. 49 from the House of Bishops, proposing an amendment to Section 5 of Canon 13 of Title I. was referred to the Committee on Canons.

MISSIONARY WORK.

Mr. WELSH, of Pennsylvania. I ask leave to have the report of the Domestic and Foreign Missionary Society now read. I think as we are to spend the rest of the day in Canon law, it will be a good preparation for us to hear a little of the spiritual work of the Church. I therefore move that the Reverend chairman, who is ready with his report, may have leave to report now.

The motion was agreed to.

The Rev. Dr. Leeds, of Maryland, presented the report of the Committee on the Domestic and Foreign Missionary Society, concluding with the following resolutions:

Resolved, That the expansion of our missionary operations, as well at home as abroad, is essential to the fulfilment of the duty of this Church to Christ and the world.

Resolved, That the Church is imperatively bound to fill up at once the broken ranks of her missionaries, and to replenish the treasury for their support, especially by invoking those parishes and congregations to contribute of their substance which have not as yet aided in this holy cause.

Resolved, That the House of Bishops be respectfully solicited to take such measures for an early increase of the number of chief pastors in our missionary field as they in their judgment may deem wise and well, so that those regions which are now insufficiently supplied may enjoy a due share of Episcopal oversight.

Resolved, That it be referred to the Board of Missions to inquire what means should be adopted and what agencies employed for bringing to a knowledge of our holy religion the large number of Chinamen now residing on our shores, and particularly within the limits of the State of California.

Resolved, That the work of missions among the colored people demands and deserves the hearty, united, and systematic support of all the members of this Church.

Resolved, While abating in no respect the duty of Christian education among them, greater prominence should be given to strictly missionary and pastoral labors among this class of our Southern population, whereby they may be saved from total loss to the Church by relapsing into the grossest forms of superstition from which their fathers were rescued.

Resolved, That our thanks are due to Almighty God, who is the giver of all grace, for that He hath put it into the hearts of his servants to care again for the red man's, and for the pleasing auguries of success with which He has cheered their efforts.

The resolutions were adopted.

COMMITTEE ON INDIAN AFFAIRS.

The Rev. Dr. LEEDS, of Maryland. I ask the chairman of one of our sub-committees to read two or three additional resolutions touching the Indians.

The Rev. Dr. Babcock, of Massachusetts, submitted the following preamble and resolution:

WHEREAS, In the good providence of God, the aboriginal inhabitants of this land are receiving merciful consideration from the Government of the United States; and,

WHEREAS, Its Chief Magistrate has asked the co-operation of this Church and of other religious bodies in promoting the civilization of Indians by procuring for them moral and intelligent agents, by supervising their work, and by assisting those agents in training the Indians to industrial pursuits; and,

WHEREAS, The Domestic Committee of the Board of Missions has acceded to the request of the President of the United States so far as to nominate agents for certain tribes of Sioux and Ponca Indians; and,

WHEREAS, It is important that the hands of these agents should be upheld by the Church and that the Indians should be protected in their rights; therefore,

Resolved (The House of Bishops concurring), That the House of Clerical and Lay Deputies appoint a Standing Committee on Indian Affairs composed of six laymen to operate with the Board of Missions by supervising the secular work of the agencies under their care, by procuring such civilizing agents as the Government does not provide, by invoking the aid of the Government, and if need be, the assistance of the courts in protecting the rights of the Indians.

Mr. WELSH, of Pennsylvania. In seconding that resolution, a single word of explanation is all that is necessary. Those who heard the Secretary of the Interior the other evening heard an appeal from him to this Church to strengthen his hands in preventing the Indians from having their lands all wrested from them. There are legal gentlemen connected with this Convention who on a committee of that kind could do incalculable good. Every inch of soil held by a red man will be wrested from him unless those who have authority come to his relief.

If we are pleased to appoint a committee of this sort to watch over the Indians, we can then do that which the Bishop of Wisconsin, yesterday, at the meeting pleaded with us so earnestly to do when he mentioned that the remnant of the Oneidas in Wisconsin bought their land with their own money, got it confirmed by an act of Congress, but now there is an influence at work that will wrest it from them unless they are helped.

Mr. FAIRBANKS, of Tennessee. I have a single objection, not to the resolution itself, but to the preamble. I think it is a bad precedent, in any shape or way to bring anything into our proceedings that has any reference whatever to the government. The resolution is quite as strong without the preamble, which seems to me unnecessary, and if it can be omitted it would be far more acceptable to me as a matter of precedent. I move to strike out the preamble.

Mr. WELSH, of Pennsylvania. There is a world wide difference between the Church applying to the government and the Church yielding to the government, when it comes and asks us to do that which hath been laid upon us and which it cannot do. The Society of Friends have had a committee of this sort for years, and they have protected the Indians in their rights. Other religious bodies, at the instance of the President, have now performed the same act. Our Board of Missions have accepted the offer and appointed the agents, and it is simply for us to say whether we will aid in holding up their hands against the tide of corruption, and whether we will protect the Indians in their rights.

Mr. RUGGLES, of New York. Mr. President, I am sorry—

The Rev. Dr. HOWE, of Pennsylvania. Is discussion in order now before other reports are brought in?

The PRESIDENT. I do not think it is.

Mr. RUGGLES, of New York. I have but a word to add.

The PRESIDENT. If there are other reports to be made, I think this matter had better go over.

Mr. WELSH, of Pennsylvania. I presume the committee will be entirely willing to leave out the preamble, and have the resolution adopted.

Mr. MUDGE, of Massachusetts. I trust not. It is a declaration to the world that we have at length waked up in some measure to our duty, as a government, to the Indians.

Mr. WELSH, of Pennsylvania. If the matter is to be debated and go over, I move that the resolution be made the order of the day for half past seven o'clock this evening.

The motion was agreed to.

DISSOLUTION OF PASTORAL CONVENTION.

The Rev. Dr. Howe, of Pennsylvania, from the Committee on Canons, reported an amendment to Canon 4 of Title II., which, on his motion, was made the order of the day for 8 o'clock, P.M.

RITUAL UNIFORMITY.

The PRESIDENT. The order of the day is the report of the Committee on the Subject of Ritual Uniformity.

The Rev. Dr. Vinton, of Massachusetts, obtained the floor.

A message (No. 50) was received from the House of Bishops, announcing the passage by that House of the following proposed Canon and the accompanying resolution.

CANON OF RITUAL.

§ 1. This Church, holding fast its liberty in Christ its Head, recognizes no other law of ritual than such as it shall have itself accepted or provided; meaning thereby in no wise to prejudice or arraign the different rites, usages, customs, or laws of other branches of the Church of Christ.

§ 2. The provisions for Ritual in this Church are:

1. The Book of Common Prayer, with the Offices and Ordinal thereto appended, as adapted to the use of this Church by additions, omissions, or other alterations from time to time constitutionally made.

2. The Canons of the Church of England agreed upon in 1603, and in use in the American Provinces and States before the year 1789, and not subsequently superseded, altered, or repealed, by legislation, general or diocesan, of this Church.

3. The Canonical or other regular legislative or judicial action or decisions of this Church, in its Conventions, general or diocesan, or by its duly constituted authorities.

§ 3. For the greater uniformity and simplicity of the public worship of this Church, for the more effectual enforcement of due habits of solemn reverence in its congregations, and out of considerate regard to the conditions under which the extension of the Church is now and hereafter to take place, it is hereby declared and provided, that in all questions arising concerning Ritual observance, the administration of the law of Ritual of this Church, whether for enforcement or for restriction, appertains to the office and duty of the ordinary, whose official written determination, whether of his own motion, or at the official demand either of a rector or of a vestry, shall be held to be the settlement of any question which shall at any time arise concerning Ritual: Provided, however, that contradictory determinations shall be subject, on memorial or otherwise, to the revision by the House of Bishops, under such rules and regulations for bringing the same before them, as said House of Bishops shall prescribe.

Resolved (the House of Clerical and Lay Deputies concurring), That a joint committee of three of each order be appointed to examine the Canons of the Church of England, of 1603, and report to the next General Convention what portions were in use in the American States in the year 1789, and how far the same have been modified by repeal, or alteration, or other mode, by action of this Church, in its Conventions, general or diocesan, and whether any portion requires modification or repeal.

The Rev. Dr. VINTON, of Massachusetts. I had intended to address the House upon this subject—

Mr. McCRADY, of South Carolina. Allow me to suggest that, as we have now the action of the House of Bishops, we lay ours down and take that up. It is the same subject, and if we act on the Bishops' message and concur, the thing will be done.

The PRESIDENT, *pro tem.* (the Rev. Dr. Haight, of New York, in the Chair). Dr. Vinton has the floor, and I cannot receive any motion or suggestion from anybody else. If he chooses to accept it, well and good.

The Rev. Dr. VINTON, of Massachusetts. I had intended to take the floor this morning, in the discussion of this question, but, as my friend, Judge Sheffey, is obliged to leave us in a few hours, and as with a great many others here, I am very anxious to hear his views, I waive my right, and give place to him, running my chance to get the floor at a subsequent hour.

Mr. SHEFFEY, of Virginia. Mr. President, I feel deeply indebted to the gentleman from Massachusetts, my admired friend, for the courtesy that he has shown me, and I shall trespass upon the attention of this assembly, I trust, not too long by way of requital for the courtesy shown me, and as an expression of the profound emotions of gratitude due from myself to this House, which has shown me such uniform courtesy and respect.

I approach the discussion of this most important question, with no purpose to indulge in the tricks of rhetoric, or the arts of the orator, but to offer the few thoughts that burden my mind from a profound sense of the duties of the hour.

I am in part a representative of that oldest of all the Protestant Episcopal communities on this continent, the Diocese of Virginia. I am by inheritance, and from the convictions of my head, and the warm devotion of my heart, a Churchman, a lover of this noble old Church of ours, a believer in the truth that in this Church verily is the truth and presence of God. When the peace of our common Zion is in peril either by injudicious legislation or by no legislation at all, I do feel some of that solemnity which we know impressed the heart of the ancient leader and prophet of the Lord, when upon the slopes of the sacred mount he saw that marvellous miracle, the blaze of consuming fire around the sacred bush, but the bush still unconsumed. Well might he, when he saw that wondrous sight, hear from the secret recesses behind which the Almighty hides himself: "Take off thy shoes; the ground thou treadest on is holy ground." So here this is holy ground we tread upon. The bush that is burning is the Church; but, thank God, though it burn, it shall never be consumed.

Again allow me to say that I approach the discussion of this question not as a partisan. May my lips be sealed in perpetual silence before I rise even, in this august representative body of the entire Church, to speak the sentiments of a party or the utterances

of a faction. I stand here as a brother coming with brethren, as one with you profoundly interested in the welfare of our common Church; and the question which addresses itself to us is, is this Church of ours at all imperilled by reason of the evils which are the subject of our present investigation? And as we consider this question, let us remember in the thrilling words of my friend from Maryland (the Rev. Dr. Leeds), uttered with his simple earnestness yesterday, that the eyes of the Churches of the world are upon us; that there never was in the history of this Church a time when, with an intense gaze, a more Christian yearning of the heart, and with a profounder sympathy in our trials were the eyes of the Protestant Churches of this world directed to our action. Hence, we should be wise as serpents, and we should seek to be harmless as doves.

The motion before you, Mr. President, is for the indefinite postponement of this whole subject. That motion strikes at the root of the entire matter. Its mover, the distinguished lay deputy from Maryland (Mr. Carter), by that motion announces through this body, or seeks to have it announced through this body to the world, to England, to America, in all the branches of Christian thought and sympathy in the world, that there is no evil in our midst, and therefore no remedy for that evil is called for.

If that be so, then let this whole subject be cast upon the current of the water that is sweeping passing events rapidly from us; let the idea be swept over into the vortex of perpetual oblivion that there is anything to be done in this Church of ours to hedge it in, or to guard it against error.

In 1868, this House thought there was something to be guarded against, and invited, by a remarkable resolution, the House of Bishops to interpose by their Episcopal wisdom some provisions rubrical in their character, for the protection of the Church against the evils that were complained of. The House of Bishops appointed five Bishops to draft a *projet* of reform, a prescript of law for the government of this Church in the future. That proposition came down to this House, not in the spirit alluded to by the lay member from Maryland, as I interpreted it, not with the brand of condemnation upon the scheme by reason of the fact that it was sent to this House. Far, far otherwise. And let me say here in this presence, that the sentiments uttered, and the thoughts and purposes manifested by the House of Bishops in regard to this transaction, have met with my most cordial sympathy and approval. Why, what was their position? Charged with a responsibility which they felt to be a burden upon them, to devise, not for their own government alone, but for the thousands of clerical members of the Church throughout the length and breadth of this land, represented here by the clerical deputies on this floor, and for the tens of thousands of communicants, and the hundreds of thousands of other laymen and lay women in this broad land of ours—charged with the duty of providing rules and regulations for this immense host of followers of the Church, was it strange that they should with paternal care and anxiety and sym-

thy and love, seek for the counsel, co-operation, and kindly conference of those who were to be so deeply affected by the proposed action?

The message that has come from that House and has just been read to this is the testimony of forty-odd Bishops, or a majority of them, that there is something calling for the interposition of these representatives of the Church. Oh, Mr. President, if I could feel that the ancient sentiment which, as my friend from Virginia (the Rev. Dr. Andrews) said, led the martyrs of the English Church to the stake, the ancient sentiment of constant Protestantism, protesting against the errors that had led the faithful astray from the truth, protesting against the errors of Rome, were as strong now, as stoutly resistant in its power now as it was long years ago, there would be no occasion for these addresses, no occasion for the consideration of such a subject as this.

Oh, Mr. President, are we to forget that we are a Church not passive in its character, not to receive things as they come in, to be borne along at the will and pleasure of chance and accident, or the whim and caprice of its own unfaithful or unskilled helmsmen; but a Church positive in its character, aggressive in its temper, protestant in its spirit against heresy and wrong wherever they may appear. If we can realize fully this, then we should not be stronger in protesting against the errors of Rome that are external, than in protesting against Romanizing errors in our midst that are internal. This Church, by your Articles and by your Homilies, and by the favorite argument on this floor, is a witness of the truth; and yet, upon vital questions affecting that truth, this motion for indefinite postponement declares that this witness for the truth shall become dumb and speak not.

Now, is it a dream that disturbs us? Is it a fitful shadow, darkly passing before our vision in the night-watches, that perplexes and disturbs us? Is it a shadowy nothing against which we are tilting? It would seem in the minds of certain gentlemen who have argued this question, that all this ado is about nothing, there are no Ritualists in this House. That is certain, it is said; nobody here is a Ritualist, and nobody supposes that any legislation is necessary for them. And yet eloquence rarely surpassed, logic or, as I think, false premises rarely excelled, has been poured for two days upon this House to satisfy it that there should be no legislation to restrain Ritualism, to restrain those things of which we complain as tending to error in doctrine. These orations, if there be no Ritualists here, certainly will strengthen the arms and encourage the hearts, and inspirit the minds of Ritualists somewhere. Otherwise hardly would they have been pronounced upon this floor.

The plea that there is no evil, that there are no Ritualists, either is true or is not true in the sense of Ritualism anywhere. If it be true, then there should be law to stop it. If it be not true, then there should be law to prevent its raising its head or intruding into the Church. Take either horn of the dilemma: either there is an evil in the Church threatening its integrity, or there is not. If there be, then this Church has the power to

save its own life, its own usages, its own integrity; or, it is no Church. If there be not such an evil, certainly there come echoing across the blue waters of the Atlantic sounds, utterances, that tell us that in that branch of the Church, at least, there is a portentous evil threatening to overshadow the very holy place of God itself. And just as the civil power, when the pestilence walketh over the face of the earth, would, by its quarantine laws, guard the ports of entry of the land, from the intrusion of the pestilence, and the fatal disease, so should this Church of ours guard its ports of entry, its places of access, from the intrusion of an evil that we know at least exists elsewhere.

Toleration! oh, beautiful thought it is! How it gives utterance to the sentiment of every Churchman. "One Church, one baptism, one faith." Tolerance for differences of opinion in non-essentials, but uniformity in holding to essentials is the foundation of every Church. Ours is a blessed fold. The sheep are the great body of the faithful followers of Christ. We are the shepherds. The beautiful mountains lie above us; our flocks are browsing and grazing in our sight. We say, let them go at their will and pleasure and find their gratification and their sensual pleasure, as they see fit. All that looks very beautiful on the mountain side; but when the shepherd finds that here and there, down steep precipices and into profound pitfalls large portions of his flock are falling, what is his duty? To call in that flock and to guard them, and keep them within the fold.

My friend from Illinois (Mr. Judd), yesterday was pleading a cause which he said he had no concern in at all; he said he was no Ritualist, but pleading the cause of excessive Ritualism, quoting Henry Ward Beecher as supreme authority in this body (laughter), as high ecclesiastical authority, for the excellency of a system that he tried once, and upon the atmosphere of which he wafted his way to heaven for once, but he has never been there since (laughter). The gentleman said, quoting another utterance for the consideration of this body which we have heard echoing through the length and breadth of our land, speaking to Churchmen about Church matters, as was said by a Statesman about State matters elsewhere "Let us have peace." And oh, Mr. President, that we could have peace sure enough, real peace, peace without war in our midst, peace without peril to the interests of our own beloved Church! But the peace that the gentleman from Illinois calls for, is peace when danger threatens; is peace when an assault is made; is peace in the language of a learned Bishop of this Church, that, under all the circumstances that surround us, if it were guaranteed to us, would be a peace past understanding.

It is said—and I listened, as I always do, with interest to my learned friend from the Diocese of Alabama (Mr. Gordon),—that men are constituted differently, that some men are cold and phlegmatic, formal and precise; that others are emotional, love æsthetic felicities and to expand their wings upon, as it were, the wings of their imagination, into that upper atmosphere of etherialized pleasure which is rarely to be reached by us who walk this mundane sphere, and that, therefore, what will suit me will not suit you, and hence diversities should be allowed in the Ritual of the Church and in the mode of conducting public worship, at the will and pleasure of those whose tastes are to be gratified, and whose sentiments are to

be consulted. I remember, Mr. President, long, long years ago when I was a boy, wandering away from my homestead out into the far Western Wilds of our beloved country. On the holy Sabbath, having been raised in the very presence of the ceremonies of our Church, its form and its rite, I found myself a lonely, homesick, forlorn boy, without the knowledge of a human being, in the city of St. Louis, in the upper gallery of the church in that city that is now called by the same name, Christ Church. I sat there until the service began. The memories of my past life were crowding in my mind, and when the minister arose and said "the Lord is in His holy temple; let all the earth keep silence before Him," the fountains of my heart were broken up, and all the memories of my past life rushed upon me at the utterance of those old, dear familiar words.

It is the birthright of every American Churchman, to have the privilege of knowing when he is in a Protestant Episcopal Church; and I say, that if sensuous indulgences are carried in our Communion to such an extent here and there, as to bring about a sensuous worship, such as I have heard Bishops and presbyters say left them, when they went into one of these churches, in doubt whether they were in Rome, or in a Protestant Episcopal Church; the grand idea of uniformity in rite, ceremony, and mode of worship is trodden under foot and we have a right to protest against it. The evil here is the evil all over the world. Vice never is full grown at its start; error is not fully developed at its commencement. St. Alban's did not spring like Minerva, full-grown from Jupiter's brain. No, St. Alban's is the culminating development of these very practices, tolerated, looked upon, borne with, endured until they have been embraced, and as it were made at any rate, if not part of, an excrescence upon our Church, that it is our duty to cut off.

The next question is, is this Church of ours a Church governed by law, or not? Law is that rule of conduct prescribed by the supreme authority in Church or State, commanding what shall be done and prohibiting what shall not be done. Is there or is there not a law so plain in this Church of ours, as to let us know what we are to do, and what we are not to do? Old England has laws. She is not ashamed to rest her ecclesiastical establishment upon law, not only law temporal, but law ecclesiastical, law that binds where the State says it shall bind in temporality, law that binds ecclesiastically wherever there be an ecclesiastic subject to its control.

A great deal has been said about the English Canons, some of which have been read and in regard to which merriment has been made, doubts expressed whether they be recognized as law or not in England. I hold in my hand the authoritative decision of the Privy Council of England, settling certain doctrines with regard to Canon 82, in respect to which not a word has been said by any member on this floor. Canon 82, prescribes the law in respect to that which is called now the Altar, but that which in the days of the Reformation under the laws of our Protestant English ancestors, was called the Lord's Table. The questions that run in the case of Liddell vs. Westerton were whether in the administration of the Holy Eucharist, it was lawful to use a stone altar fixed in the building with candles burning upon it, and whether the crucifix should be allowed in connection with the administration of this Holy Sacrament. That question came up under Canon 82, wherein it is declared:

"We appoint that the same tables shall from time

to time be kept and prepared in sufficient and seemly manner and covered in the divine service with a carpet of silk or other decent stuff thought meet, by the Ordinary of the place, if any question be made of it,"

They used in those days to refer something to the Bishops.

"And with a fair linen cloth at the time of the ministration, as becometh that Table, and shall stand, saving when the said Holy Communion is to be administered," etc.

The Court here trace the history of Altars and Tables, and decide that it is not lawful to have that which is an Altar in the Protestant Episcopal Church in England. I will read from the decision.

"The Appellants in their pleadings, term these Tables, 'Altars, or Communion Tables'; and in the argument they have referred to two recent Statutes, in which the word 'Altar' is used to signify the 'Communion Table.'"

Just as in our Prayer Book the only place where the word "Altar" is found is in the Institution service, where it got in nobody can tell how.

"When the same thing is signified, it may not be of much importance by what name it is called, but the distinction between an 'Altar' and a 'Communion Table,' is in itself essential and deeply founded in the most important difference in matters of faith between Protestants and Romanists, namely, in the different notions of the nature of the Lord's Supper, which prevailed in the Roman Catholic Church at the time of the reformation, and those which were introduced by the Reformers. By the former, it was considered as a sacrifice of the body and blood of the Saviour. The Altar was the place on which the sacrifice was to be made; the elements were to be consecrated, and, being so consecrated, were treated as the actual body and blood of the victim. The Reformers, on the other hand, considered the Holy Communion not as a sacrifice, but as a feast, to be celebrated at the Lord's Table, though as to the consecration of the elements and the effect of this consecration, and several other points, they differed greatly amongst themselves." *Liddell vs. Westerton, Ecclesiastical Judgments in the Privy Council, page 144.*

This learned Judge and this able Court go on to decide that owing to this radical essential difference between the Table of the Lord and the Altar of sacrifice, the law of England is, that that which is called either Table or Altar, shall be of wood, separate from the building, and during the time of Communion moved out, so that it shall appear to the Congregation and be understood by the world not to be an altar of sacrifice, but a table for a festival. England, I say, plants herself upon the platform of law, and shall it be that in this American Church of ours, we shall confess that upon these questions we have no law?

Mr. President, does not every duty require us to vote down this motion of indefinite postponement, or go before the world with these things clinging to us, and confess that we were either so blind as not to see them, or had so dull a sense of duty, or were so deficient in wisdom as not to be able to provide the remedy for them?

I take it, Mr. President, that in view of the message which has just come from the House of Bishops, and in view of what has been stated already upon this floor, this House will vote down the motion for indefinite postponement, and then how stand the questions before the House? First, the proposition of the gentleman from New York [the Rev. Dr. Cady], that

hereafter all doubtful questions shall be referred to the Ordinary, and that no changes shall hereafter be made against the godly counsel and judgment of the Bishop. That is his proposition as a substitute for the entire matter. Then comes the proposition of my distinguished friend from Connecticut [the Rev. Dr. Mead], the old patriarch of this House, whom I take it, by my athletic and active friend from the Diocese of Maryland, has been jostled about a little too roughly; but he is an old pine-knot, and can stand a great many hard blows. The proposition of my friend from Connecticut, which prescribes at any rate law plain enough, is a substitute for the second sub-section of Section 1 of the Canon reported by the committee, leaving the rest of the report of the committee to stand subject to any future amendments that may be proposed.

We then come back to the original proposition, and I confess that it is a very difficult matter for one who does not know whether the motion for indefinite postponement will prevail or not, to enter upon the argument of his favorite scheme among the many projects of law. I will, however, take for the present the report of the committee as the basis of a few remarks.

There are three leading objections made to that report. The first is as to the declaration that anything is law in this Church; the second is, that it is defective; that it does not declare enough to be law in this Church; and thirdly, that this Canon law ought not to be recognized as a part of the law of the Church. That is as to the first section. I have said enough, I think, on the subject of the propriety of declaring now that there is law of some sort in this Church, and what that law is. The speech of the distinguished gentleman from Illinois, delivered here yesterday, is in itself enough to require and command this House to do something to define what the law of the Church is, for what is his proposition? That this is a Church without any power at all to sever itself from the traditions of the past; without any power at all to alter the prescripts of General Councils, and what he called the directions of ecumenical canon. He even intimated that it would be heresy in this Church to do anything against what was done in the dim, shadowy, darkened past by the four, five, or six councils that he regards as authority in the Church. But upon that point our own Church declares:

"Every particular or national Church hath authority to ordain, change, and abolish ceremonies or rites of the Church, ordained only by man's authority, so that all things be done to edify."

And in 1603 in England, under the letters patent of the King, the Convocation presided over by the Archbishop of Canterbury, enacted a series of Canon laws that covered the whole ground of rites and ceremonies in the English Church, which were promulgated as law and made the permanent law of England.

What does this first section declare? Ritual means rites and ceremonies to be observed in the conduct or performance of public service. What is all that this first section declares?

"That this Church, holding fast its liberty in Christ its Head, recognizes no other law of Ritual than such as it shall have itself accepted or provided; meaning thereby in no wise to interfere,"

etc. And then it goes on to prescribe that the ritual of this Church is found, first, in the Prayer Book, with the Offices and Ordinal thereto appended; second, in the Canons of the Church of England, and here is the rock of offence, the stone of stumbling in the way of the minds of many members in respect to this report. So terrific has been the assault upon this provision of the report, so fierce, scathing, and consuming was the sarcasm, so terrific the eloquence of the distinguished clerical delegate from Wisconsin (the Rev. Dr. DeKoven), that my friend from Connecticut (the Rev. Dr. Mead) seemed to think, "after that the thing is dead and I had better bring in something else." [Laughter.] In other words, my friend took water falling from a narrow plank and he got upon a raft broad enough to hold a navy.

I desire to say a word as a lawyer on this subject, for I will not undertake, in all its aspects, to reproduce what I consider to have been one of the clearest, most forcible, and logical arguments on the law I ever heard delivered on any question, pronounced by the lay delegate from the Diocese of Ohio (Mr. Andrews). But there was one aspect of this question which he did not touch which I beg leave to call to the attention of the Convention. The Canon law of 1603 is declared here as to ritual, so far as it was in use in these colonies in 1789, to be the law of this Church, unless altered or repealed. That is what the second sub-section declares. Whether it is expedient now to recognize those Canons is not the question; but whether those Canons are, so far as they were in use when the Revolution took place, the law of the Church now, I think there can be no doubt about. As to my own beloved diocese, her lips are sealed, because as early as 1624, just twenty-one years after the adoption of this code of Canon law in England, the Colonial Assembly of Virginia adopted that Canon law for the government of the establishment in that province; and from that time down, on the basis of the Prayer Book, on the basis of the Canon law of England, until the Revolution separated her from the mother country, she continued to be governed, Church governed, priest governed, laymen regulated by the law of England thus accepted and provided by herself.

It will be noted that this law was not imposed upon Virginia by England. The establishment was the free act of the representatives of the colony; and hence the more binding upon us, because it was not the imposition of tyrannical power, but the free acceptance of voluntary submission to the law.

South Carolina in 1698 recognized the Canon law and the Liturgy of the Protestant Episcopal Church, as the law of her ecclesiastical establishment.

And now I come to my learned lay friend from the Diocese of Maryland. I understood him to say that this Canon law was no law to him, and yet in 1702 the act of 1696 passed by the Colonial Legislature of Maryland, accepting the law of England

in respect to the establishment of the Church, so far as it pertained to these colonies, including the Canon law having been rejected by the King at first, was remodelled, and in 1702 became the law of Maryland, and so continued until the Revolution.

I do not say that because Virginia, and South Carolina, and Maryland, acted upon, and accepted the Canon law as law for them, therefore it is the law for the whole Church; but what I do mean to say is, that just so far as the Colonial Church was an established Church, and thereby in direct sympathy, unity, and common with the sister, or what I call the mother Church, and by laws ecclesiastical, and laws civil, entitled to unity and identity, it was through this manner that we retain this oneness with the communion of that Church.

And what next? If you take the act of our Legislatures after the adoption of their several Constitutions, they still go on down to 1796, when the last act on the subject that I have been able to trace, the act of Virginia with regard to the glebe lands of the clergy was passed—down to that time acts were passed in Pennsylvania, acts were passed in Virginia, South Carolina, and Maryland, and in other States of the Union, recognizing the Liturgy of the Protestant Episcopal Church, as the law ecclesiastical in their jurisdictions.

I say, therefore, that it will not do to brush away the idea with your finger, as if it were a light feather that amounts to nothing, when it is insisted, that so far as they were accepted and acted upon by the people of these colonies, the Canon laws of England were the laws to govern this Church.

And oh, my friends, permit me to say, after a most careful scrutiny of every one of these Canons, that whilst there are some little night-caps, white stockings, and other nice little things that my friend Dr. DeKoven could make much merriment about, whilst there are some things in these Canons that are out of date, the cut of the garments being a little old-fashioned, but our tailors can soon alter that, sir. [Laughter.] We can soon alter that little pageant if it be objectionable to the tests of any one; but except in those little minute particulars that are held up to ridicule, I say here, that these Canons are next to the Prayer Book, the very bulwark of Protestant principles, and that the Church which stands upon these Canons, which plants itself with the Prayer Book in one hand and the Canons in the other, may bid defiance to Rome and all the insidious assaults of Romanizing people.

There is a difficulty of course in the language of this Canon wherein it declares that those English Canons shall be recognized as the law of Ritual which were in use in 1789. Permit me as a lawyer to say a word upon that phrase, "in use." It may wear in use as a general custom, or it may wear a particular locality. On this motion for indefinite, if any member on this floor is of opinion that that ought to be more definitely prescribed, all he has to do is to come forward with us, vote down the mo-

tion to indefinitely postpone, and insert on his own motion "general use," so as to make it free from doubt and make it clear that what is designed there is meant to be a general use.

The argument upon this subject would be irresistible that the use is a fact; the law is a certainty. There is no doubt what the Canon law is; there is no doubt what that law prescribes. The next question is as to the fact of the use of that law in 1789. Our fathers who framed this report doubtless were familiar with the acts of Convocation in England which used the very same word. The celebrated act adopting the provisions of the Canons of 1603, and the King in his letter of acceptance recognizing it, and so do the Canons themselves for they refer to the rites and ceremonies as they were in use in the third year of Edward VI., referring back as a matter of evidence, cutting off those which were not then used and laying them aside and raising the question as to the use as a matter of fact to be established.

Permit me in this connection the consideration of one aspect of the third section of this report, and it is that in respect to which a great deal of objection has been raised. "It declares a written official determination, whether of his own motion or at the official demand, either of his rector or a vestry, shall be held to be a settlement of any question which shall at any time arise concerning Ritual." That language when judicially construed will be held to be either in the nature of a godly admonition or as a final settlement of the question of Ritual. There are very serious objections to giving any one man in this wide world the exclusive power of determining finally any question affecting the rights of the presbyters or the rights of the laity. If the judge should hold that that language was equivalent only to what is known as the godly admonition of the Bishop, it is, as it is now, final as between him and the presbyter, and the next step after the admonition, compliance with which is refused, is presentment and trial. And what then?

The fifth section of our Canon of crimes and offences declares that any presbyter in this Church may be tried, may be admonished, suspended, or degraded for violating his ordination vows, amongst which is this, "That I will obey the godly admonitions of my Bishop." If, therefore, I say, this be a construction that will be given to those words that they are godly admonitions, then the promise and vow of the presbyter binds him without this law to obey those godly admonitions but with one condition, and I beg now to say in the hearing of the assembled wisdom of this Church, that upon a question which has agitated the minds of many it does seem to me that there can be no doubt. There are no supreme autocrats with unlimited power in this Church. There is no such idea in this Church of ours as a Bishop above the law, or as a Bishop with power to make law, or as a Bishop with power to continue law for the final judgment of the clergy. It is true—and upon this theory this report is based—

that these Bishops of ours are our fathers in God. They are the *Episkopoi*, the overseers of God's heritage, charged with responsibility that it is kept in order and that the laws which govern that heritage are executed within their jurisdiction. That is their sworn duty, and when they come to declare what shall be done as executive officers not as a judicial act, not as a legislative act in its character, not declaring what shall be the law, but directing that that which they think is law shall be carried out, that which they think, according to law ought to be done shall be done, then when we come to the inquiry what is the defense of the presbyter, the godly admonitions of the Bishop being imposed upon him, is he bound by the oath he has taken to his God in heaven, to obey at all hazards and without any right of question? Respectfully, reverently, submissively he has the right to refuse; but when he does that he puts himself in the position of trying the question of accuracy of construction of the law with his Bishop, and if, upon his refusal, he is presented and tried, the Bishop proves his godly admonition; *prima facie* that is evidence of guilt. But the presbyter, the minister in the Church has a right to go back and say, "That admonition was not godly; that admonition was not godly because it is not in accordance with the law of this Church; it is not sustained by any authority either *ex jure divino* or from the power of law created in the Church." On this very question turned the case of Long vs. the Bishop of Capetown, where the Ordinary admonished Mr. Long to do so during the administration of the Holy services of the Church. He respectfully declined to do it, and he was tried, tried under that law which required him to observe the Canonical oath of obedience to his ordinary, and what was the judgment of the court on that subject? It covers the whole ground in a few words. The Canonical oath of obedience does not mean that the clergyman will obey all the commands of the Bishop against which there is no law, but that he will obey all such commands as the Bishop by law is authorized to make."

I say therefore that these words will either be construed in the way I have indicated or they will be construed as giving the Bishop the power of final determination. Now I say to those who would object to that aspect of the case that the easiest thing in the world is to vote down the motion to indefinitely postpone, come forward with us, and if you say this is a burden too heavy to be borne, a burden that will chafe the necks of restive ministers, that they have a right to have a word with respect to what shall be the forms and ceremonies of the Church, then, when any case arises where a presbyter shall be presented for trial for failure to comply with such written determination, let it be provided that the minister shall not be concluded by the refusal to obey, but shall be enabled to show that the determination is not founded upon law. I will not object to that. That will give you the opportunity of testing the question with your Bishop. If you think he is wrong, then run the risk; plead that he is wrong.

I say this is the law of England. Where, my brethren, is our law? Where is the law that governs us? Where is the law written down so plainly that the simple minded man can see it and know what his duty is? If this House is afraid to trust the uncertainties of Canon law, they certainly are not too timid to trust their own Constitution and Canons, and in their own Constitution and Canons they may make that certain which the Canon law might be supposed to leave uncertain. To remedy that defect my friend from Connecticut (the Rev. Dr. Mead) proposes an amendment which defines to matters trenching upon doctrine what shall be as forbidden and what shall be done in the service of the Sanctuary. I say there is no doubt about that commandment of law. First, there shall be no incense burned in a Protestant Episcopal Church. Why? Because that is one of the forms and ceremonies in the Romish Church against which our forefathers protested and which are declared illegal by the Canon law of England.

"Placing or retaining a crucifix in any part of the Church." I suppose, if we have any respect at all to the judgment that has been pronounced upon this subject in England, even if we go back with my friend from Illinois through the dim, shadowy vistas of the past, to find rules to govern the judicial mind now, that question has been settled by the judgment of the courts in England, that it is Romanizing to put the crucifix in any part of a Protestant church.

"The use of lights on or about the Holy Table, except when necessary for lighting the church." This is the very language of the judgment of the Privy Council Court, in the case of Liddell, that I have just now quoted, not that it is wrong to have candles on the Holy Table, by any means, but to have lighted candles there when the lighting of them is not necessary for the illumination of the Church.

Then we come to that which teaches by a sign directed to the eye the horrible heresy against which, more than almost anything else, our forefathers protested, and in respect to which they have imbedded in the very fundamentals of their law the sternest prohibition. It is this:

"The elevation of the elements of the Holy Communion in such manner as to expose them to the view of the people as objects toward which adoration is to be made in or after the prayer of consecration, or in the act of administering them, or in conveying them to or from the communicants."

Is that right, or is it wrong? You have taken your vows upon you, you who have subscribed to the articles of your Church, is it right or is it wrong? And if it be wrong ought there not to be a law to prescribe that it is wrong, so that the penalty of the law may be imposed against the offenders? "The Sacrament of the Lord's Supper," says the XXVIIIth Article of Religion, "was not by Christ's ordinance reserved, carried about, lifted up, or worshipped." That is the fundamental principle embedded in your Articles of Religion on this subject. If it be that in this Church of ours this thing is done, if it be that in imitation of the example of the Roman priests who have sacrificed

on the altar and have prepared the sacrifice for distribution as a means of salvation at their priestly hands, the holy emblems which are now verily the body of Christ our Saviour, before which all shall make lowly obeisance,—if such a thing now exists, is it not to be prohibited and repelled from the borders of our Church? Recollect that the Articles of Religion does not say that the worshippers shall believe in the doctrine of Transubstantiation; oh, no! but the Church says that by Christ's ordinance this Holy Eucharist was not reserved, carried about, lifted up, or worshipped. My learned clerical friend from Wisconsin intimated that some believed in such a peculiar manifestation of the Holy Presence as to almost concentrate in the elements the essential verity of Christ himself, though not in substance, so that there on the altar, there in the elements, there in the cup is the Presence, not in the holy temple, not in the sanctuary of God, not amongst the people, not down here passing from heart to heart with His vivifying power and sanctifying influences, but there in a peculiar, mysterious, awful manner, in such wise that it is needful to make your reverences, and bow down in that direction; and what is it that makes you bow down there but the elements that have been touched by the hand of the consecrating priest, and when those elements are lifted up, the altar no longer has that upon it which sanctifies the altar, but that which does sanctify the altar is in the hands of the priest, and when carried about, obeisance should be made wherever the elements go.

Oh, my friends, if you hold up such a temptation to our people, there is that love of the awful and mysterious pervading the human mind, that will not alone carry away silly women captive at its will, but those who have the tendency to excessive credulity will be carried away, and then with them a multitude will follow, and if the example spreads all over our Church, we shall have the lifting up of the host, the carrying of the elements as the very body and blood of Christ, and the adoration of the people, in violation of every principle of the law of the Church. If once we begin to believe there is in that something holy and sacred, oh, how easy it is for us to slip away from the Protestant anchorage of our forefathers and to go pell-mell into the embraces of the errors of Rome!

"The mixing of water with the wine as part of the service." I am perfectly aware that the habit did exist in the early ages of mixing water with the wine; but you will notice that upon the publication of the rubric contemporaneously with the Canons of 1863 that provision of the rubric of the Church of England was left out of it, and the Canon declared that it should be the duty of the vestrymen and wardens to provide pure wine for the administration of the Holy Eucharist, and the precepts of our own Church all declare that wine and nothing but wine shall be used. This is following the lead of my friend from Illinois to find in the dim past a practice prohibited by our own Canon law and our own rubrics.

"The washing of the priest's hands or the ablution of the vessels as part of the service." I will not say anything more than that that is essentially a Romish practice, nothing else but the practice of the Church of Rome. And why? Because with them the Eucharist was the sacrifice that could be offered by the priest only, with pure hands washed in the presence of the people.

"Bowings, crossings, genuflections, prostrations, reverences, bowing down upon or kissing the Holy Table, and kneeling, except as allowed, provided for, or directed by Rubric or Canon; it being provided that reverence at the mention of the name of the Lord Jesus is not intended to be disallowed; and it being further provided that private personal devotion before or after official ministration is not to be understood to include or justify any of the acts prohibited."

All these things, my friends, have their root and fountain in one common radical error, in the error that there is something in the Church of God to be worshipped besides God; that there is something in that Church a representation of Almighty God, which is to be the object of personal reverence and worship. I am perfectly aware that the ancient usage of the Church required the bowing at the name of Jesus, and friends have complained that this is not made mandatory here.

I say, for one, give us the other and you may make mandatory as you choose the bowing at the name of our blessed Lord. Although it has not been the usage in my diocese, yet I hold that it is not forbidden, but may be allowed, and I would gladly wipe out the usage of my own people and conform to yours, if on these other matters of vital doctrine you will come forward and say, "Brethren, we will join you in removing these evils from the Church."

"The celebration or receiving of the Holy Communion by any Bishop or priest when no person receives with him." These are the same sort of practices that are prohibited and protested against as Romish!

The objection to this proposition, which nobody will question, will set forth the law plain enough, is that it is class or partial legislation. I say there is nothing of that sort in it. It is true it declares that certain things which symbolize false doctrines shall not be done. Who is that legislating against except those who are guilty of acts that do symbolize false doctrine and ought they not to have law commanding them not to do those things that do symbolize false doctrine? Why, sir, the objection is to the providing a remedy for an admitted evil, for for a confessed wrong.

Mr. President, for my own part, I love to see law better than a vague, uncertain inquiry as to what the law may possibly be, and hence so far as I am concerned, I am in favor of the amendment of the deputy from Connecticut, subject to such amendments as may be provided by the judgment and wisdom of this House, especially an amendment that the President of this House has suggested to me. Probably the language in the ninth sub-section of this Canon, forbidding the "employing or permitting any person or persons not in the Holy Orders, to assist the minister in any part of the Order for the administration of the Holy Communion," may be too broad and compre-

hensive, because, I will quote him, as he did me the favor to make the suggestion to me, in our Communion service the Church has been careful to prescribe, not that it shall be the act of the priest, standing off from the people: "I do so and so, and the result of my doing, I dispense to you by my priestly grace and favor;" that is not the theory of the Church; but the theory is that as the priest approaches the Holy Communion table and says: "We do not presume to come to this Thy holy table," the people are gathered around him, then and there, and participating with him in the act of consecration, and in the supplication to Almighty God; and hence the strict letter of this prescript might go against the rubric of the Church, and therefore be illegal and wrong. I say, therefore, that I am in favor of adopting the amendment of the gentleman from Connecticut, not to strike at the common law, but to declare this as independent law made by ourselves, and an alteration justified by our own Articles of Religion and the Preface to the Prayer Book.

Mr. President, I have detained this House unreasonably long. I thank them for the patient attention with which they have listened to me. I shall close what I have to say with a little reminiscence connected with the transactions of our last General Convention. In a critical period of a debate that involved very serious results in the disturbance of the harmony of the assembly I was permitted to utter a few words which met with an echoing response from the hearts of the members of that Convention; I was permitted to say that this Church of ours, wise in its counsels, righteous in its purpose, holy in its inspiration, guarded by sound doctrine, and encompassed by law, was to be, as it had been in the past, more powerful than sections and stronger than party. And so now, whatever may be the result of our deliberations upon this question I believe that wisdom, prudence, the consecration of every power of our natures to the honor and glory of our common Church will characterize the votes and sentiments of every member of this House, and that by our legislation our Church will go forth from this period and will stand up in the world a proud monument of perpetual integrity and a defence to the Faith in all time to come.

"As some tall cliff that lifts its awful form,
Swells from the vale and midway leaves the storm,
Though round its breast the rolling clouds are spread,
Eternal sunshine settles on its head."

EPISCOPAL SUPERVISION.

A message (No. 51) was received from the House of Bishops, announcing that that House had adopted the following resolution:

Resolved, That this House does not concur in the amendment to clause 2 of section 15 of canon 13, title 1, "of a Diocese without a Bishop," &c., proposed to it in message No. 43 from the House of Clerical and Lay Deputies, for the reasons following: First, that this House think the act proposed by said amendment has been sufficiently provided for, at least for the present, by the amendment to section 5, canon 13, title 1, passed by this House yesterday and sent to the House of Clerical and Lay Deputies for concurrence; second, because this House does not deem it desirable or expedient for this Convention to assign by Canon to a Bishop jurisdiction within an organized diocese.

The message was referred to the Committee on Canons.

RITUAL UNIFORMITY.

The House resumed the consideration of the Canon on Ritual, reported by the joint committee on that subject.

The Rev. Dr. VINTON, of Massachusetts. Mr. President, I shall endeavor to detain the House for as short a time as will allow me to compress my ideas into words. The question is one of indefinite postponement, as it has been stated, and that opens the whole subject. Reference has been made to the amendment offered by the reverend gentleman from Connecticut to the main motion. I ask that that amendment be read.

The SECRETARY read the amendment of Rev. Dr. Mead.

The Rev. Dr. VINTON, of Massachusetts. Mr. President, I am in the main for that amendment. When the reformer Ridley stood before the Romish Commissioners under inquisition of his faith, he said to them: "There are two things which separate us from you, the Church of Rome from the Church of England: first, the supremacy of the Pope in this realm of England; secondly, the corporal presence of Christ in the Sacrament. The first of these two points of difference is no longer a difference, for it was settled years ago under the reign of his late gracious majesty, Henry VIII. by the authority of Parliament. There remains but one single point of difference between you and us." He then went on in the exposition of his faith, denying absolutely, unqualifiedly, most exclusively, by the most comprehensive terms, any manner, method, or mode of presence of Christ in that Sacrament; inconnection, that is, with the elements of that Sacrament. After a learned exposition of his views, after an exceedingly able and ingenious maintenance of his side of the controversy, he comes to the conclusion, "to this will I adhere; for this will I burn;" and burn he did.

The reformer Latimer says, "I have not the schooling to argue with your ingenious logic; I have no defence to make for my position; but I know, and hold this to be the truth of God, and for this will I die;" and for that he died.

That one solitary idea, the presence of Christ in union with the elements of the Sacrament, no matter by what term soever it be designated,—corporal, objective, local, hyperphysical,—anything that implies the connection, the association, or incorporation of the one with the other, was the single idea repudiated by the reformed Church of England. On this she grounded her defence of the Reformation. This is the cardinal position then which she occupies before the world. The denial of this doctrine is her sole excuse for being. The denial of that denial would be to take her back again into the fold from which she came; it would be to induce the lapse of all that is peculiar in her into that old system which is simply Romanism without the Pope.

Now, sir, the Church of England has not simply asserted this; but knowing this to be the hinge-point of her being, she has endeavored to substantiate it; she has hedged it in; she has fortified it; she has exhibited it conspicuously and in every way. How many of the Articles pertain to that very Sacrament and its meanings? And she has buttressed this great truth which she maintains by a negative assertion of the most comprehensive and absolute sort, and by a

positive assertion just as absolute, either of which would exhibit her view of the matter; and both together make it, to my mind, utterly inconceivable that that should be denied to be her doctrine.

I therefore call your attention to the article of the 39, in which it is said that:

"The wicked, and they who are void of a lively faith, are in no sense partakers of Christ, though they do carnally and visibly with their teeth, as St. Augustine saith, press the Sacrament of the body and blood of Christ, yet in no wise are they partakers of Christ."

"In no wise." Remember that negatives are exclusives. You may not conceive of a method of His presence, that presence to be received by the recipient of the Sacrament, which is not excluded by language like this as connected with the Sacrament to the unbelieving. He is not present there to that receiver corporally; He is not present to him spiritually; He is not present to him sacramentally, except he have a living faith, a "lively faith." Remember, there is the negative assertion.

On the one side, then, she declares that the Sacrament may be received in its elements, and the receiver shall, in no sense, partake of Christ. Again, on the other side, I refer you to the communion for the sick and the rubric that closes it, which shows how different the views our mother Church took of the indispensableness of this Sacrament, from that which is maintained by some in our body. She says in that service:

"If a man, either by extremity of sickness or for the want of warning in due time to the minister, or for lack of company to receive with him," (which must be two besides the sick man by another requirement,) "or by any other just impediment, do not receive the Sacrament of Christ's body and blood, the minister shall instruct him that if he do truly repent him of his sins, and steadfastly believe that Jesus Christ hath suffered death upon the cross for him and shed His blood for his redemption, earnestly remembering the benefits he hath thereby, and giving Him hearty thanks therefor, he doth eat and drink the body and blood of Our Saviour Christ profitably to his soul's health, although he do not receive the Sacrament with his mouth."

These two statements make it so clear that no human device could be adopted that should make it clearer as the exponent of the Church's mind in this matter; that in no sense whatsoever can we understand that sacrament as having incorporated with its elements the presence of the Lord Jesus Christ. Then, accordingly she makes this her great cornerstone. It is a central column, as it were, rising up in the very midst of her, from which all other rites, ordinances, appendages of every sort hang dependent and gracefully. As you have seen in the Chapter-house of some Cathedral, a solitary column rising from the middle of the ground and forming the apex of the whole, and then on every side you will see the octagonal roof and sides hanging gracefully down, and worked with embossments and carvings, like beautiful, gorgeous tapestry, wrought in stone, just so is this tabernacle in which our Church dwells. Everything depends on this, in order to make her what she glories in proclaiming herself, the Reformed Church of the world.

Now, sir, it is alleged that there is among us an

error; that there is such a thing as is called Ritualism; that its tendency, direct and immediate, is to the overthrowing of this cardinal doctrine of our Church, the invasion of this prime truth of our Church's faith. Well, then, might the Church take care of it. She knows what was the worth of it. She knew what the denial of it would be. Just as precious and valuable as the acknowledgment of that truth is, just so dangerous is its subversion and denial. The error, the falsity that stands opposed to that truth, is just as much grouped about with mischief and error, as she with their doctrine is garnished and beautiful with all the manifestations of truth, doctrinal, devotional, ritual. Yes, sir; that error, the Church knew it, our fathers knew it. They knew that the whole system of Romanism without the Pope, and the Pope, by not a very indirect corollary, but, at least Romanism without the Pope, as a grand sacramental system, a system of the craft of the priesthood, grew essentially and necessarily from that central error; for the priest, according to that who consecrates and brings down the blessing upon those elements, or, in the words of Dr. Pusey, 'the priest to whom belongs the awful functions of creating the body of Christ, must stand at an awful distance from the worshippers. They cannot but be smitten with reverence for him in his august position, wielding the sacramental power which is represented to them and accepted by them as the only vehicle of grace and salvation.'

Must they not look to him as indirectly and in a subordinate degree, the author of that grace and salvation to them? And so from this comes the confessional, and from the confessional the penance and the absolution, and the sole supreme power of one man's will over another man's heart and conscience and mind; and so a community given up to that spiritual despotism which socially in domestic life and politically has wrought mischief and only mischief through the generations which England, after ages of patient endurance, is now heaving herself to the great work of dispossession of the demon. Oh, that central error; it is full of all other errors. It is like Medusa's head, the snakes from every part of it scattering venom here and there.

Now, sir, an error, a practice, any thing ritual or doctrinal whatsoever, that shall invade the sacredness of that doctrine, our Church, as the legitimate daughter of the English mother, is bound to set herself against, to oppose, to overpower. If this be the meaning of Ritualism, then we have justification enough for acting. And now comes the question, how is it proposed to meet this? You have heard the Canon as it is proposed to be amended; and the reason why I am for the amendment is that it strikes off various appendages of that message from the House of Bishops which came to us in Canonical form in the first place which gave to our action a trivial air, and which, essentially and directly, were not connected with this prime central error of the Communion, or the Sacrament, or the *quasi* Mass. Any thing that leaves that untouched, any thing that leaves the Church's chiefest worship impregnable, or unassailed, pure, is all that we need, as a Church, in my opinion, fight for. It is all that need summon up the dignity of a body like this Church to any sort of positive action. As for all the æsthetics of the thing, as for the fringes of the garment, while

they are only fringes let them be used as men may love to use them, though we may assuredly suspect that if you take away the core of this erroneous doctrine, every thing else that forms its structure will go with it. We have heard it denied that there is any such Ritualism, and we have heard it presented altogether in the form of mere æsthetics; but we know that these æsthetics have a meaning deeper than that which suggests itself to the eye; and although it has not been admitted here, perhaps because there are no Ritualists here, yet if we take the testimony of those who are such, we hear a language like this: "Of course we mean something by this symbolism; of course these reverences and adorations, and every other sign that we adopt, mean something." They mean the great central idea of an objective presence of our incarnated God and Saviour. They mean the extension of the Incarnation, in the words of Keble, into that very sacrament itself, so that when I behold it I behold my crucified and adorable Lord. The logic of the system is utterly impregnable, because, if you grant the postulate "Is my bleeding, dying Lord there in personal presence objectively localized," then I am less than a Christian, I must be less than an ordinary Pagan, who wept and smote his breast when he saw the crucifixion, if I am not ready to bow down before that locality where my Jesus is, and pay Him the profoundest reverence. I may bow, I may kneel, I may prostrate myself in any various form that may suggest itself to my impulses and religious instincts; but I must do it, and in doing it no power on earth has a right to interfere. Sir, grant that the postulate, the logic is clear; their claim is clear; they have a right to every motion, gesture or performance that they may see fit to adopt.

But, sir, if we take away this great central error, I apprehend that the other parts of the system as it appears to the world's eye, would amount to nothing; at all events they would amount to nothing to my mind. I would give the largest liberty to a congregation that had æsthetic tendencies, as distinguished from another of simpler tastes. I would leave it entirely to the minister and the people whether they would have more or less of music, more or less of what might seem to some eyes dramatizing; yet if it pleases them I am not offended, provided evermore, that the great sacred treasure of the Church's faith shall, by no act, be assailed and made disreputable.

Now, sir, how is it attempted to meet this? I like the amendment because it is a law, and because it is a distinct law; because it has its definite bounds; because it stands up and presents an authority recognized in this Church. As to the latter part of the amendment, I am less in favor of it; in fact I am not in favor of it; but in so far as the amendment is peculiar I am in favor of it; and its peculiarity consists not in its remedy, but in its character as a law.

We have heard it argued that our laws are several fold, I might say, and in the report from the Bishops at first received and just now received, and in the Canon to which this amendment is an amendment, we find introduced not only our own Constitution and Canons, but the Canons, or usages drawn from Canons, of the Church of England in force in 1789. Now I approach a dubious ground. It might, perhaps, to me, who am to the legal men as a layman,

be a very pertinent self-suggestion, that should bid me beware with what intent I touch that doubtful thing. But evidently we feel it to be a doubtful thing. Was ever "the glorious uncertainty of the law" made more manifest than it has been in this discussion? We have heard, in the first place, that the law of the Church of England in plying its usage, and all the usages of this Church are laws to this Church. We have heard it again, in the most ingenious, acute, and able argument of the gentleman from Ohio [Mr. Andrews], who, I am sorry to see is no longer in his place here, that it does not mean what was the Canon, but what was the use under the Canon; and then we have heard set forth in the broadest way, in the argument of the gentleman from Illinois [Mr. Judd], that we are not only bound by our own Canons and Constitutions, not only bound by the usages of this Church in 1789, usages founded on English law, not only bound by the Canon law of the Church of England, but bound likewise by all the preceding statutes, institutes, precedents, and decisions, up into the dark out-pread unknown antiquity. In order to be logical, he must accept this conclusion, and with characteristic boldness he does not shun it. But let me consider this a moment; let us consider where does this great conclusion rest itself? Upon the seeming admission by this Church at the time of her separation, as shown forth in the preface of the Prayer Book, that she still recognized the Church of England in her laws as the guide and authority of this Church. I call your attention, therefore, to it. In the preface to the Prayer Book it is said:

"It seems unnecessary to enumerate all the different alterations and amendments. They will appear, and it is to be hoped the reasons of them also, upon a comparison of this with the Book of Common Prayer of the Church of England, in which it will also appear that the Church is far from intending to depart from the Church of England in any essential point of doctrine, discipline, or worship, or further than local circumstances require."

And this is interpreted as declaring as a general enunciation that this Church holds herself bound by everything in the Church of England in the shape of law, which she has not already specifically and deliberately rejected or superseded. Why, sir, the paragraph declares no such thing. It simply, in apologizing for or justifying its alterations in the Church of England Prayer Book, says the reader will observe that we have not in these alterations, and that it was not our intention in these alterations, to depart from anything in the doctrine, discipline, or worship of the Church of England more than local circumstances required. It is most potent to all the world, and there the inquisition ends. It is no general statement. It is as if she had said to a challenger, "look into that book and see if I have made any alterations in it that you will not yourself hold to be justified by the circumstances of the case. Doctrine? In the Prayer Book! Discipline? In the Prayer Book! Worship? In the Prayer Book! Look at them all and see if they are not conformable." But as to any other code of disciplinary law, she says never a word; she does not seem to have it in mind, and, therefore, that first postulate (for it is a postulate assumed not only by the gentleman from Illinois, but by writers of credit on this subject, we hear it echoed and re-echoed as a postulate that is not to be

refused), has no sort of pertinence to the subject as a general proposition.

And, again, let me say in refutation of that idea, that the very refusal to acknowledge, on the part of our fathers, shows that they did not themselves so regard it. I believe it to be a sound maxim in law, "Show me how they practiced under the law, and I will show you the meaning of the law." If we can find in the practice of those who adopted these Canons of ours and compiled and modeled this Prayer Book, anything like a demonstration that they did not hold themselves bound by the Canons of the Church of England, we have the *animus imponentis*, we have the mind of the legislator, we understand the purpose and meaning of the law, and by the purpose and meaning of the law it is that we are to be bound. I find in our own Canons several Canons which are several repetitions of the Canons of the Church of England. If the fathers of our Church had held those Canons to be imperative constantly upon us, would they have done the superfluous work of re-enacting other Canons to the same point, one, for instance, on the observation of Sunday?

There are two or three Canons of the Church of England which have been re-enacted almost in terms, proving, as I said, that the fathers of our Church did not regard the laws of the Church of England as binding absolutely and of necessity upon ourselves. Again, we have had cited to us the practice of Bishop White, who, in reference to the matter of bowing in the Creed, lived in the constant refusal of obedience to that Canon of the Church of England. And I may say that this was probably the general estimate of the matter, because, although I was not ordained in the infancy of this Church, yet at the time I took orders in her there was a majority of the House of Bishops who did not bow at the name of Jesus in the Creed.

It shows, then, that the founders of our Church did not consider themselves bound essentially by the laws of the Church of England, but only when they were re-enacted by themselves. And, out of this slender beginning grows the mighty conclusion. What is that conclusion? That we are bound by the Canons of the Church of England. Is that all? Nay, but inasmuch as in the decisions of the ecclesiastical Courts of England in times past there have been inwrought the principles of the Canon law, then we are bound as much by that Canon law which has been incorporated into the decisions of England and become part of her law thus. And so we may go back until we shall begin to ask where are we, "in wandering mazes lost." The Canon law, which probably not one being in this country, unless he be a profound, learned Romish ecclesiastic, knows anything about,—the Canon law, made up of parts and parcels from the original laws of the old Greek Church, made up in part of the laws of the Emperor Justinian, fragments of the civil law, made up, finally, by the decretals of the Popes, embodied, intermingled, intertwined, into a system and applicable wherever the Roman Church had a place, is now, forsooth, to become our law, because it has been substantially and again and again used and re-enacted in the decisions of the English Courts. And we may even go a step further back; we ought to go further back; nay, we may go further back than that, with far more plausibility than the gentleman from Illinois has pleaded for, his conclusions,—why not go back

to the General Council of Nice, why not hold ourselves bound by the Canons of the Council of Nice, that first General Council, from whom we name our universal Creed to which we all bow down? And what saith the 20th Canon of the Council of Nice? Why, forsooth, this: that on no Sunday in the year shall the worshipper kneel in the Church in prayer. On week days he may kneel, but never on Sunday; and in the holy season between Easter and Whitsuntide no worshipper shall ever kneel, either on Sunday or on a week day. That which we consider our peculiarity, which distinguishes us, which we have written many an argument, not to say many a book, to defend and show the beauty of,—kneeling before God in prayer,—is actually prohibited on Sundays by the Canon of the Council of Nice. We are tied up to that if we hold the authority of all that past time.

So it appears, a mighty spread of argument, an inverted pyramid; height and breadth almost immeasurable of conclusion, and resting on the very minimum of base! How much more rational now to go back, and when we ask for law,—whose law? The law of the Protestant Episcopal Church in the United States of America. When did she take her commencement? Let us go there. What makes her law? That which she says is law.

Here we come upon a point of argument used by others than the gentleman from Illinois,—used in a double aspect by the gentleman from South Carolina and the gentleman from Ohio, and by my friend from Virginia. It has been said that usage makes law, and use is appealed to in this Canon and in the message from the House of Bishops. Here again I would submit with great deference: though layman to the law, yet as the lawyer has undertaken an experiment of exegesis, may not the clergyman undertake a question of interpretation in the hope that he may succeed better in his interpretation than the lawyer in his? Is there any such thing as usage in Church law? Has there ever such a thing been accredited as mere common law usage? I know that in the passage referred to and quoted from the English Prayer Book, reference is made to the garments, &c., in use in the time of Edward VI. How do they know them to be in use? By the law which was then passed making them to be used. It was not a question of common law then, meaning thereby the aggregation of all the usages of social, domestic, civil, and all sorts of life, and gathering from them certain practical conclusions by which the Courts govern their decisions. Church law is not that. It is statute law; nay, I may say class law,—law essentially and necessarily class law, like martial law, for instance, which has its own specific rules and regulations, which never goes into the vague question of warlike usage, which never goes back to see how Hannibal managed his armies, or Julius Cæsar his, or Napoleon his; which has its specific, down-written rules, so that he may read who runs, and the wayfaring man, though a fool, need not err therein. So is the legal system of the Church. The Canonical system must of necessity be a class style of legislation; and common law, in the common acceptance of that word, has never, I venture to say, had a place in the consideration and decisions of any ecclesiastical Courts, and is not known to any of our books.

I therefore take the opposite ground. I do it with all becoming diffidence, but I do it as an outsider, and it sometimes happens, you know, sir, that a person

may take a general view of a subject which an immediate expert himself does not happen to perceive; and it may be likewise that gentlemen who are dealing all their lives with the common law, that great body of English usage, which by usage has become law, which has been authenticated in this country from England, sometimes by statute of the legislature, at others by decisions of the courts, until now it has grown to be as much the law of this land as ever it was of England. I say it is natural to suppose that gentlemen who have dealt with the principles of the common law habitually, always exclusively, should be ready to look, first of all, in the interpretation of law, to this matter of usage. I submit it, however, let me say again, diffidently, but to my own mind confidently, that that is not to be admitted at all in this discussion in the consideration of these questions, and a principle which, if it be not admitted, will cut out from underneath the proposition of referring to the usages of 1789 to determine what was the law of the Church.

And now, sir, we are told in defence of a different style of action from that proposed in the amendment of the gentleman from Connecticut, "why should we touch it," or, rather, "why not leave it to the Bishops; and what if the Bishops do not quite do right?" That brings me to the third clause or stipulation, namely, the remedy; we are to leave to the Bishops. Now, sir, my preference for the amendment over this is, that it is a Canon law, and a Canon law needs not to be administered by a Bishop. There is a tribunal to which reference is made when a Canon law is broken, which is an intelligible thing. There is a source and power of arbitrament which we have distinctly before our eyes when we make the transgression; but if you leave it to the will of one man, be he never so saintly, when you leave it to the judgment of one man, be it never so well advised, a second person can never be sure that the next step he takes will not be treading upon something that shall pierce his foot. And observe, if you please, the wording of that condition. Not only may the Bishop for the greater promotion of sobriety in worship, but likewise for the increase of reverence in worship, interfere and change the presbyter's action. This is a sword of two edges; it cuts both ways, inconveniently, perhaps. Here is a clergyman of a parish whose services are conducted with remarkable simplicity, though perfectly rubrically. We will suppose the Bishop is an æsthetic man, and he suggests to him that he would like to have a more ornate service introduced into his diocese, and so he enjoins him. The rector may dissent; he may resist, and if he resists he is amenable. On the other hand, right over the line there may be a Bishop with less æsthetic tastes, and those things which ought to be fully accredited and acceptable at large may, by such a man, if he have in him the power or the disposition to dominate, be put down at once, and all by the mere will—"sic volo, sic jubeo."

Now, sir, I dislike that. I dislike any government that has as its power the mere irresponsible will of one man. I know it is a flexible government. I know it can do mighty things. I know that a despotism is a most valuable institution in its place. I know that in the infancy of society, among a half-civilized people, certainly among a totally barbarous people, it may be that a despotism is the only government that will serve the turn, just as the parental government is essentially a despotism; and this

term reminds me of the manner in which this was presented to us by my reverend friend from New York, who is now the incumbent of the Chair [Rev. Dr. Haight.] You remember the beautiful and holy strain of optimism in which he set forth the subject; how he said it might be conceivable indeed, that the minister would be wronged; perhaps grievously wronged, certainly thwarted and vexed by the will of his superior, but with all that the world is full of troubles and of trials, and why not this? and so there is a better world, "where the wicked cease from troubling and the weary are at rest." [Laughter] Now, sir, I admire that beautiful optimism. Oh! it is an exquisite, graceful, glorious gift, the gift of submission; but I think we are not quite prepared for the Calvinism, I might say the Mahomedan fatalism involved in that advice of my reverend friend, and I do not mean, of course, to be understood as saying that he is a Calvinist, still less that he is a Turk. [Laughter] But I do mean to say that with all the grace and power and garniture and clothing of humility and submission which God has enjoined upon us to wrap our souls withal, yet are we not told that the treasure is committed to earthen vessels? Are we not told that he that had the talent and did not use it was cast off as an unprofitable servant? Are we not assured that this great kingdom of God, whose issues are eternal and divine, nevertheless rests on human shoulder? Are we not admonished that if we are unfaithful to our trust, if with Leodicean indifference we pass by this thing or such things as this by a vote of indefinite postponement, we are in danger that God will spew us out of his mouth? If we have not the grace of consistency, if we will tolerate the harlot, if we will in any way commune with false gods or countenance idolatry, remember the seven Churches of the Apocalypse.

Submission indeed! But action—action even unto resistance—resistance even unto fight—fight even unto death, or we are no reformed, and so no truly Christian Church.

Now, sir, if it be a fact, as I have all along assumed, that in this Church of ours there is, either hiding its head or pushing it forth conspicuously, challenging the notice and admiration of men, any such thing, what ought we to do with it? Can we as Christian men tolerate it?

How can two walk together except they be agreed? How can we stand upon one platform of the faith, when the platform of the one is not the platform of the other? How can we look up to God and say that we have been zealous for His truth; how can we look up to God and ask for that peace which is the Saviour's benison and boon, while we fail to secure that truth which the Apostle represents as the indispensable preliminary to peace?

Oh, sir, let us remember that God is truth; let us remember that God has revealed Himself to us in His most impressive aspect, as a God who hateth every thing that loveth or maketh a lie; let us remember that the Saviour says, "I am the Way, and the Truth, and so the Life." Oh, then, let us not palter with false conclusions. Let us not shake hands with error. Even though that error be incarnated in the person of one near and dear to us, yet the error we must hate, though the person we may love. This, sir, is the Church's calling, in my opinion. How can we walk together except we agree?

Mr. President, what shall be the issue of this conflict? If you postpone action, if you give this thing the sweeping go-by, if you say it is not necessary to do any thing, you may say, "Oh, how beautiful is this Zion of ours; how peaceful; what an admirable, loving Convention this has been," and so go away with a jubilate upon our lips, and pride, perhaps in our hearts; and yet if you do nothing, the murmurings may not be loud, but will be very deep; the feeling of dissatisfaction, disaffection, anxiety which has been growing, I will not say more and more morbid, but more and more strong, compacted, and settled to this hour, and which might be at once dissipated into atoms by the fair and manly action of this body in reference to this great error. I say, that feeling settling into a principle, will become a fertile thing; it will not burst out, perhaps, or flash out in the little erratic, eccentric doings that we are all familiar with, but it will grow into a most solid conviction; such a conviction as comes to a man's soul when he is upon his knees before God, that something ought to be done, that something must be done, or that the citadel of God will be given over to his foes. If that be a state of feeling at all subsisting here, it stands the Church in hand to meet it, to mollify it, to subdue it so far as she can by action that she herself, it seems to me, must pronounce not to be improper action.

I will not contemplate the vision of a rended Church. I will not look at it so painfully to see brethren separated, Churches scattered, schism rending the dear body of Christ. I would much rather look forward to a Church growing, spreading over the land; a Church at unity in itself; that fair Zion in which God loves to dwell, smiling as the very garden of the Lord. Peace be within thy walls; plenteousness within thy palaces; joy, grace, grace unto it, the song of every angel from on high, and every man who beholds it. This is what I would love to see. Then the Church shall go on conquering and to conquer. Then the red-cross banner shall lead her armies to only successful fight. Then shall ten men take hold of him who is a Jew, and say: "We will go with you, for we have heard that the Lord is with you." And then shall one hosannah go up from our united, loving, and truthful Church, "Glory to God in the highest."

Rev. Dr. CRAIK, of Kentucky. Mr. President, I would not impose myself upon this House were it not for two facts: one, that I believe I can express the very few words I intend to present in such a short space as will hardly interfere at all with the gentlemen who are desirous of addressing the House upon this great subject; and the other, that I have entertained, from the time of the introduction of the report of the Joint Committee, views on this subject which have not yet been expressed in the House, which, as I have unfolded them to several persons in private, have met with their acceptance, and which I have been desired to express here by several, and especially by the gentleman of the Committee who now occupies the chair [Rev. Dr. Haight] And I am the more confirmed in the necessity of expressing those views because of the message which has just come down to us from the House of Bishops, that House having affirmed the principle which, to me, is most fatal, in the report of the Joint Committee which was made to us.

I am not one of those, Mr. President, who think

that the Church is not in danger. The Church is always in danger. She is placed in this world to fight against the world, the flesh, and the devil; and, if ever she relaxes her vigilance, if ever she ceases to watch, she will be beleaguered and fall—I mean, any particular Church; the whole Church cannot fall. And, I believe, too, that there is danger in the very direction to which we have been pointed so eloquently to-day.

Our American innovators are, for the most part, prudent enough in the expression of doctrinal views, but, we know that the voice that comes from our Mother Church, from the parties who there represent what they call the advanced school, boldly proclaiming that which this Church holds to be false doctrine, and false doctrine in that centre of truth, the sacrament of the body and blood of Christ. If we can meet that falsehood and put it down by other legislation than that which we now have, I am perfectly ready to do it. I am anxious to join in anything which may meet that special error, and banish it from outward expression at least in this Church of ours. Therefore, I have no objection at all to the special legislation proposed by my reverend friend from Connecticut, taking a part of the report which came from the five Bishops, that portion which refers merely to the observances connected with the administration of the Lord's Supper, and leaving out, as my distinguished friend from Virginia has mentioned to you, the opinion which I expressed to him, that clause which forbids any layman from assisting in the celebration of the Holy Communion, because, I have always held that the whole congregation, at every celebration, is present and assisting, and that priest and people are joint offerers in that holy service.

But, sir, the special matter to which I have objected is that strange third section of this proposed Canon, which makes the Bishop of each Diocese, 40 Bishops each one supreme in his own sphere over the whole Ritual law of this Church; and what does this same Canon tell us is the Ritual law? The Book of Common Prayer, all its rubrics all its directions. That is the matter which is submitted, not to this General Convention, not to the Church in these United States as here represented, not to the Dioceses after a three years' deliberation, if they wish to make any change in that Ritual law, but to each single Bishop, whose written determination upon that point, whether of his own motion or moved by the Vestry or the Rector, is a settlement of the case final and conclusive.

Sir, we have had this *projet* proposed to us as a Canon of uniformity. What will be the result? Instead of uniformity we shall have diversity enacted by Canon. Now we have diversity to a considerable extent, some diversity certainly; the abuse, in many instances, of that liberty which the clergyman have, or claim; but, then you would have the diversity fixed, rigid, made effective and conclusive in each Diocese. You cross an imaginary line, and that which is the common, allowed, favored usage in one Diocese, becomes a criminal offense in another; and there is no going behind it under this Canon.

I ought to have said before, that the first section of this Canon meets my entire approbation. It determines that the authoritative source of the Ritual law to which we must go, is that law which we have accepted, is the Book of Common Prayer; that we

desire no authority from Greek or Roman or Gallican usage or prescription, but are confined to our own recognized and established standards for our rules. The enactment of that Canon alone, if I understand the portion of the gentlemen who have occasioned this trouble in the Church, would take the ground from under their feet, because the novelties which they have introduced, they say, are a Greek usage, or a Canterbury use or a Gallican use.

I was satisfied by the very able arguments of the Lay Deputy from South Carolina [Mr. McCrady], and of the Lay Deputy from Ohio [Mr. Andrews], that the second portion of this Canon might also safely be enacted and be received here; but there are so many difficulties connected with that point, there would be so much confusion in the minds of our whole people in regard to it, that I doubt whether it would be proper to make any enumeration of the sources of our law of Ritual. I think it would be better simply to take the first section, and then to follow that by such precise legislation, if we have any at all, as shall meet the abuse which we desire to remove, either the enumeration of particulars by the amendment proposed by my reverend friend from Connecticut, or some general enactment to the effect that any Ritual observance which teaches or symbolizes false doctrines shall be unlawful, and liable to presentment.

As I have said, Ritual law is a very comprehensive term. It embraces the whole sphere of worship, sacraments, rites and ceremonies. The Constitution of this Church places this grand domain, the Ritual law of the Church, the precious heritage of us all, under the control and guardianship of the General Convention in its two Houses and its several Orders, and of a three years' scrutiny and judgment of all the Diocesan Conventions, and after all this the Constitution requires that no change or modification shall be made until the General Convention shall again review and reiterate its first decision.

This section, by one sweeping enactment, destroys all these provisions for stability, for the solemn establishment and consequent sanctity of law. It makes the "written determination" of each one of forty Bishops, and each may determine differently, "the settlement" of every question in this whole domain of Ritual. All rubrics, the entire Book of Common Prayer, and all the offices, are to be in each Diocese just what the Bishop thereof may choose to say they are. And this determination may vary from month to month. Whatever it is, it is final and conclusive while it lasts. It is "the settlement" for the time being, and any Presbyter may be tried and deposed for contravening it.

Bishops are, like the rest of us, subject to infirmities. They may leave—for some have done so—the firm foundations on which this Church stands, and may be "advancing" in other directions. One may be a Greek, another a Roman fancier; and again another may be captivated by the poetic blasphemies of Renan, or by the prosy heresies of Colenso. Each manipulates the Prayer Book according to his respective fancy, and each varying decision, under this Canon, is law—law which may be enforced by judicial process.

There will be no necessity, under this revolutionary rule, to come to this Convention with petitions to be allowed to recite the Nicene Creed in public worship without the "*Filioque*." The Bishop with Greek affiliations may order that point of Ritual, and it is done; and the tender consciences on that point can

congregate in the favored jurisdiction. And so of every possible diversity of taste, fancy, or doctrine. The Baptismal office, the Eucharistic service, all may be manipulated and changed in one way by one Bishop in one Diocese, and just the opposite way by another Bishop in another Diocese. We have now, as I said, some diversity by the abuse of liberty; then we shall have far more and serious diversity fixed upon the Church by Canon.

My esteemed friend from New York, in his speech on this subject, says the remedy for wrong doing on the part of the Bishop, if any wrong in such a quarter can be supposed, is to impeach him. But how can you impeach a Bishop for doing that which this Canon empowers him to do, and in one contingency requires him to do?

The Canon is said to be made for "greater uniformity." Instead of that, it will make the flaming contrasts all over our Church, and contrasts fixed upon us by the rigidity of law, known to be so fixed by the whole people of the country—a condition little calculated to win the esteem or to retain the respect of the people to whom we are sent with the message of salvation.

The minds of the Committee were so intently fixed upon Ritual extravagances and exhibitions of false doctrine, that they have inadvertently used language to general as to subject the whole Church, and the personal and official rights of every minister in it, to the mere arbitrary will and discretion of the Bishop. Surely, some of those who are offended at these follies and extravagances must be surprised to find the remedy suggested to be an exaltation of Episcopal authority beyond anything ever known before, making that authority to be in place of law, above law, and against law.

This Canon presents also the anomaly, unprecedented in any nation, community, or body politic in the world, that the things which are lawful and right and of common usage in many places, shall be crimes to be punished in as many other places. This new and strange law of diversity, by the arbitrary rescript of Episcopal prerogative, may be changed from month to month as the mind of the Bishop may advance in the direction in which it is moving, or as pressure from influential sources, organized or unorganized, may be brought to bear upon him. Suppose we had had this Canon some years ago in North Carolina, and as the mind of the then Bishop of that diocese moved Romeward from month to month, or from quarter to quarter, he ordered the Ritual law of the diocese to be according to his then position, and you have an illustration of what we may have under this Canon if the Church should be so unfortunate as that it should be adopted.

The enlightened conservatism of this Church will surely in the end put down the vicious practices which come from the abuse of liberty; but when error is sanctioned by the persistence and rigidity of Canon law, it can hardly ever be removed.

The sole provision for correction is the determination of the House of Bishops. But the persons favored by the single Bishop will not send a memorial against themselves; and in a question of Episcopal prerogative the acts of one member of the College will be handled with great delicacy and reserve by the rest. "A fellow feeling makes us wondrous kind." And so it would seem by the enactment of the Canon which has been sent down to us from that House this morning.

This final determination by the House of Bishops is itself, you will observe, a sweeping destruction of all the safeguards which the polity of this Church has thrown around the Prayer Book and the Constitution. It does away with the co-ordinate action of this House representing the two Orders, and does away with all the power of the Diocesan Conventions to review the initiative action of this House and to decide against it if they will.

I believe I state a general truth when I say that by virtue of a universal law of reaction from the licentiousness of public opinion, the tendency of the mind of this Church is to the concentration of power in its Episcopate, and if you by Canon determine that all power shall be vested in the House of Bishops, we probably lose forever the liberties which we have heretofore conceived to be ours.

I do not believe that my venerable friend, the Chairman on the part of this House of the joint committee who has been guarding the liberties of this Church and the purity of its doctrine now for fifty years, when he comes to see the necessary effect of the provision which has been introduced here, will be willing by one sweeping enactment to take away those liberties, to undo the work of his life-time, and to leave us to arbitrary will as the law of this Church.

We heard a beautiful account yesterday of the successful efforts which this Church had already made, and which it was still to make, to assist in the manumission of the priests and the laity of Italy, and of the continent from the tyranny of the Bishops, and of the Pope. Surely it would be strange if we should adopt a provision which would now put the same shackles upon ourselves.

Bear with me one moment while I state—(I can do it the sooner because my distinguished friend from Virginia has clearly brought out the same point)—what I conceive to be the real and true position of the Episcopate in this matter of law. First, there is the paternal authority of the Bishop, benign and blessed, taking away, in many instances, the necessity of any law, making it unnecessary to resort to coercive authority at all. That is the beautiful, the lovely feature of our Church government. But there must be coercive law. There will be reckless men who can only be met by coercive law. There the position of the Bishop is, that he is the sole judge and interpreter of the law in the first instance, and his decision, his interpretation remains as law until a judicial decision may ascertain that the interpretation was incorrect. Sir, he will be a bold man, presbyter or deacon, who will go into that contest without a certainty of success, against all the *prestige* of his Bishop, against all the moral influence which that Bishop most righteously brings to bear upon him; but when he does so, when he takes that risk, if the Bishop's interpretation does prove to be incorrect, then his injunction was not law, and did not require obedience.

My friend from Virginia has already referred you to that decision in England, which I had intended to mention, to the effect that the Canonical oath of obedience does not bind the minister to obey all the commands of the Bishop, but only such commands as are in accordance with law. This is our present condition; this is the way in which we should stand now before the Church and the world. But pass this Canon, and all this is reversed; by Canon law you make the injunction of the Bishop, his will, the settle-

ment final and conclusive; the court will have no power to go behind that settlement and say what the law ought to be, or is, or was; it is final, conclusive, except as it may be reviewed by the House of Bishops; and then, as I have said, the House of Bishops may repeal, modify or change as it will the whole Ritual law of the Church, thus doing away with the Constitution of this Church in its two Houses of General Convention and with all the power of its Diocesan Conventions.

I trust, sir, that this third section of the Canon will be almost, if not quite, unanimously rejected by this House.

I shall vote against the motion for indefinite postponement, because I am willing, and indeed anxious, to see some provisions adopted by which the actual evils of the Church may be met and rebuked. But what I would desire to see, is not a piebald legislation, which shall give us forty different uses for the forty different dioceses, but that this Convention shall, in whatever it enacts, do it for the whole Church and make all the uniformity that is desirable; make it not law to do a thing in one diocese and a criminal offence to do the same thing in another diocese.

I pray the pardon of this House for having occupied them so long.

On motion of Mr. MUDGE, of Massachusetts, the House took a recess for five minutes, at the conclusion of which time the House reassembled.

On motion of Rev. Dr. ANDREWS, of Virginia, the rule of order requiring an adjournment at 3 o'clock was suspended for this day, and the session extended to 4 o'clock.

The Rev. Dr. PADDOCK, of Long Island. Mr. President, I feel that I am fairly entitled to say, and that without charge of any affectation, that I have never risen before in my life, whether in the House of God to preach to the people the gospel of salvation, or in a deliberative assembly, with so much embarrassment as I feel at this moment. Seemingly and really ardently desirous of obtaining the floor, I have been conscious all the time that I was seeking to take it from those who are much more able to address this House on this subject than I am, and that I am to follow those who have already addressed the House, not only with beautiful spirit, with great charity, and oftentimes with great clearness, but with most marked ability and frequently with exceeding eloquence. And still, sir, I should not do justice to my own convictions if I allowed myself to remain silent merely from any embarrassment, possibly producing even confusion in some respects, when a matter which I believe very important to the welfare of the Church of God is before us.

I should be exceedingly sorry if in any word which I should utter, I should fail either to make myself understood as to what I mean, or, making myself understood, should speak by any chance whatsoever with any bitterness of spirit toward those with whom I cannot agree on the question now before the House. And I am the more in fear as I stand here, because I am put upon a new task. It has never in God's providence been made to appear my duty, either in council or in the discharge of my duties as a pastor, to use terms which perchance we must use on such an occasion as this to avoid large circumlocution, to use technical language, oftentimes used with bitterness of speech, but which, God being my helper, I will not utter with any thought of opprobrium toward any living man in this House, or toward any party whom that living man may represent. I desire to speak, if my needs so require, of those who are technically

called High Churchmen or Low Churchmen, or Ritualists, adopting the term as a purely convenient technical phrase to express, without circumlocution, the thought.

A motion has been brought before this House to indefinitely postpone this whole matter. I confess then I, for one, was startled exceedingly when I heard that motion, and was as much amazed as any motion possibly could have amazed me, which could conceivably be brought before this House, because the history of this legislation in this House does not ask for any such treatment as that, and I venture to say, does not rightly admit it. This House has done its duty to the full, so far as its members are concerned, in the treatment of this Ritual question. I beg leave to remind the House that the Bishops sent in their original report on the fifth working day of our session, and they could not be asked to send it in earlier; that we resolved on the evening of the following day, and gentlemen will remember that they could not arrive at a decision earlier, to take up that report and to act on its suggestions, and appoint a Joint Committee. The Committee was announced by the President of this House two days after, namely, on the eighth day. The Joint Committee took considerable time, indeed, for their report, for the subject was a very burdensome one, and many of its prominent members were on other committees charged with most laborious and most important work, and so, without the suspicion even of a desire to keep the matter out of this House too long, they reported on the thirteenth working day of this session their scheme for our action. When that report was brought in, a clear voice was heard ringing through this Church in clarion tones, insisting upon it that that report should be postponed for two days, in order that the House might have time for deliberate judgment; and when the two days were reached, that same clarion voice rang through the Church again, insisting upon it that this report should be postponed indefinitely, because, forsooth, it was too late in the session. So that it is not the fault of this House that we have addressed ourselves to this matter, and find it before us at a late day.

I beg to suggest still further, that I know not on what presumption it is that gentlemen seem to rise all over the House and to speak, as if it were a matter of course that this Convention must adjourn to-morrow night or the next day. If they will but remember that this Church is larger now than it was three years ago, larger in its representation, with graver interests still before us and with subjects almost new brought here at this meeting, I do not know what right gentlemen have to presume that this House is to adjourn at an earlier date than it was content to adjourn three years ago; and, sir, if you will remember, you recall the fact that three years ago we adjourned on the night corresponding to the coming Thursday night; and if you throw out the day this time, given almost altogether to the Missionary Jubilee, we should be fairly entitled to ask of the members coming here on expectations, based on the course of this Convention three years ago, to give us patient hearing and discharge this business, even if it require us to sit here until Friday night, which I certainly hope it will not.

This is enough, I think, against any argument for indefinite postponement, merely because this question has been more or less postponed by the necessary action, first, of the committee, then of this House in deciding, then the two days given to the President to make up the committee, then the four or five days given to the committee to make report, and finally by

the action of this House itself pushing it off further in order for mature deliberation.

Now, sir, I propose to speak to the resolution immediately before us. I am distinctly of the opinion that the resolution as it came to us from the committee, and especially as it has come down to us to-day from the House of Bishops, should pass. I was not of that opinion last Saturday. There were difficulties standing in the way before my mind, especially a scruple about the English Canons, which made me glad to hear the amendment of that most venerable gentleman of this House, probably the oldest clerical member to-day in the House, who has been so thoroughly — I will not characterize the action otherwise; I leave that for you to say — so thoroughly, as it were, scourged in this House for having done what I believe members of nearly every other committee in this House have felt at liberty to do, namely, not to stand by their original report to the end, but to speak for an amendment if they should so please.

As to the report brought before us by the amendment, I have only to say that did I believe that at this late stage it were possible to have that amendment go through the House of Bishops, I should perhaps be entirely willing that it should be carried in this House. But when you come to reflect that passing that amendment, throws it back to-morrow upon the House of Bishops, I think we shall agree that the passage of that amendment by this House would probably leave us, even if we gained the very utmost in point of time, with one set of resolutions and the House of Bishops with another, at a moment when it would be too late to have either acted upon by joint action, so as to make a Canon law for the guidance of this Church.

As to the matter of the resolution as presented, I desire to call attention to the fact, that one of the gentlemen of the committee, that brought in this report, who seems not to have discovered anything whatever disgraceful, nor did any other member of the House discover it, in rising to speak against the report, says distinctly: I refer to the reverend deputy from the Diocese of Wisconsin.

"Perhaps, let me say, that possibly no objection which may be urged, ought to be fatal to the passage of the Canon, for I am free to say, that if we are to have legislation on the subject, I do not believe this House will, at this late stage of its proceedings, and in its present temper, under all the circumstances, procure any legislation that will be as satisfactory as that contained in the Canon on Ritual, and that will be obnoxious to as few objections, and of as large force as this Canon."

That is precisely my view. I adopt the view of the Rev. Dr. Beers, of Wisconsin, with all my heart.

The objections that lie against the Canon as proposed are brought against two distinct points: One is the power of the Bishops, and the other is the difficulty about the English Canons. As to this matter about the power of the Bishops I have been amazed beyond utterance at the expressions of the deputy from Kentucky (the Rev. Dr. Craik), by which he has set before this House the greatest array of evils conceivable which are about to come upon this House like an avalanche if, perchance, we should adopt the provisions of this Canon on Ritual. Why, sir, what are the provisions? They are simply these. First, that reference shall be made to the Ordinary of the diocese to the clergyman's own Ordinary. I need not say to the intelligent members of this House that this is the rule through all Church legislation

from the action of the first Council down to those three years ago. There is no other rule that is Churchly to begin with, except that very one of going first to the Ordinary of the diocese.

But it is said that this is open to great abuse, and we are told that an ordinary will probably be or may supposedly be, a man of such extreme views in one direction or another that he will fasten upon this Church such monstrous decisions that they shall not only overthrow the very Canons of this Church, one and all, but shall overthrow the constitution of this Church as well; aye, more, shall overthrow the Prayer Book, root and branch, cutting through it all and tearing through the Prayer Book, and tearing all of us besides into tatters and fragments. Why, Mr. President, I never heard before that the decision of any Bishop on the subject of what was the use of this Church in worship, whether the minister should stand or whether he should sit, or whether he should kneel, would be likely to ruin either Prayer Book, administration of the Sacraments, Canons, Ritual, Constitution, or anything else. It seems to me gentlemen travel very widely apart from the goal when they say that the Constitution of this Church can actually be overthrown by the written decision of any Bishop, whatever he may decide, however wildly on some matter of use in the administration of the services — not the use of services, not the use of doctrines (that is under another title), — not a matter of discipline, (that is still another matter), but Ritual; how a man shall act; whether he shall stand, fall prostrate, kneel or sit. That is all; and that is what is going to override everything in the judgment of the deputy from Kentucky.

But, sir, the deputy certainly must have entirely forgotten when he made that point that, while, according to his argument, it might be so if the Canon stands only as it stands now, namely: That all matters doubtful be referred to the ordinary, and that that be law, and that there be no further appeal, his argument becomes rooted up and cut all to pieces by the provisions of this last Canon on Ritual, which declares that when such a decision be rendered there is a method of relief. What is that method? A decision is rendered which is felt by the members of this Church to be grievous and burdensome. It is the easiest possible thing, nay, it is a necessary thing, if that decision be held binding on the consciences of men whom it aggrieves sorely, for them to give a written statement to their own Bishop, asking for his written declaration on that subject, and he is bound to give it on the written statement of any rector or of any vestry. They need not be themselves entangled in the contention; it may be a case made up with all possible kindness. But then that which was oppressive law one moment before becomes no law at all because of a contradictory decision, and at that moment the case thus made is ready to come before the House of Bishops for decision, on what? Not on doctrine, not in discipline, not on Prayer Book, not on constitution, not on Canons, but a simple decision before that body, than whom there is no conceivable body better able to guide this Church as to what is the lawful use and custom of this portion of the Church of God.

Now, a word as to the other objection with regard to the English Canons. Last Saturday, I may say for my own clearance, I felt myself that I could not vote for anything which carried with it the approbation of those English Canons. It led me — I need not detail the process — to a very careful and laborious

study of the whole subject. I profess to have read the one hundred and forty-one English Canons through and through since last Saturday, and I have been at the pains of tabulating those Canons a little, and I propose to present to this House the result of my investigations, which will pass for what they are worth and no more, only saying in advance that the constitutions and Canons-ecclesiastical are believed by very many, notwithstanding the learned argument of the deputy from Massachusetts, to be the law of this Church, in so far as they are not repealed, or modified, or changed by subsequent legislation on the same topics in the Book of Common Prayer, or in our Canons and Constitution. I desire simply to say this in answer to the argument presented by the gentleman from Massachusetts: It will be remembered that the Constitution and Canons of 1603 were, without a shadow of doubt, the law of the American Church on the 4th day of July, 1776; they were, without a shadow of a doubt the Constitution and Canons of this Church until that day when the Church came together as fragmentary portions, not of the American Episcopal Church, but of the Church of England in these then newly-born States; they were the laws of that Church, I say, until the day when they came together and organized and became a national Church, and therefore, if they were binding up to that day, certainly it does become a very grave question how you are to dispossess them of that place in our Canon law unless you can point out the statutes, the legislation of our Church which proceeded thus to dispossess them.

Now, as to the Canons themselves, I find that there are one hundred and forty-one Canons; I find these Canons are divided into fourteen divisions, and the reading of the titles of these divisions will set gentlemen right at once as to the great disparity which must necessarily exist between a clear opinion as to what those Canons mean and how far they are binding on England, and what those Canons mean, and how far they are binding in America. Because, it will be seen, even by mention of the titles, that a vast proportion of them are matters which enter into the very life and blood, I might say, of the English nation and which are to-day interwoven inextricably with their civil law and with their common law, and with all thoughts and feelings and habits of a nation of people who live under Church and State; while the very fact that they are so interwoven with English law is the very ground on which we take our position that they are not so tangled up with us who have no Church and State, and who are not Englishmen.

Here we have, in the first place, twelve Canons "Of the Church of England"—I read the title—which Canons are confined exclusively to its *status*, legally considered, the articles as they stand as authority legally considered, the rites and ceremonies as they have legal position against any impugnors; and they do not concern in the slightest degree the Ritual of the Church; and you will remember that it must be shown that these Canons are Canons which affect the Ritual in order to be of any concern to us. Gentlemen certainly have made a great mistake when they have argued here that we know not what among these Canons are binding and what ones are not, that we never can tell, that the adoption of the English Canons, the point made by the last speaker, I believe, carried with it the adoption of the old Catholic Canon law, because that was more or less interwoven into the English Canons. We have prevented all that by the wise report of this committee. "The provisions for

Ritual in this Church are," among other things, "the Canons of the Church of England"—not those alone; not the Canons as a body, but the Canons that provide for Ritual; not even those altogether, but the Canons that were "in use" before or in the year 1789; not all of those, but those which, concerning Ritual, and being also in use, have not been "subsequently superseded, altered, or repealed by legislation, general or diocesan, of this Church." Remember then the limitations under which the English Canons come to us and which we are only asked to declare to be the law of this Church under those precise and accurately marked out limitations.

First, then, we have, I say, twelve Canons "Of the Church of England." Canons of the Church of England under that title are Canons, as I have already stated, which concern certain points that do not touch upon the Ritual of this Church, or, if they do, as for instance, in the form and manner of consecrating Bishops, they have been superseded by the action of this Church in setting forth a form and manner of its own.

We have next nineteen Canons, the title being, "Of Divine Service and the Administration of the Sacraments," a division containing some matters touching Ritual, to which I shall presently refer.

We have next forty-six Canons under the title of "Ministers, their ordination, function, and charge," which do contain some Canons touching Ritual, to which I shall presently refer.

We have next three Canons under the head of "School Masters," which I presume it will be conceded, do not touch the Ritual of this Church.

We have next nine on "Things appertaining to Churches," which Canons do touch upon Ritual, if Ritual be understood in the enlarged sense of what the English call "Ornaments of Churches;" in which sense, if any one is pleased to understand it I have no manner of objection.

Next we come to two on "Church Wardens or Questmen, and Sidemen or Assistants," not touching in any manner Ritual.

Next we have one on "Parish Clerks," which does not define their duties in the house of God in worship, but only touches upon their mode of choice and their qualifications, and, therefore, is not concerning Ritual.

Next we have seventeen on "Ecclesiastical Courts belonging to Archbishops' Jurisdictions," which begin to make it very plain, as all the rest of the remaining titles do, that here comes in that fearful and inextricable entanglement which may well perplex English courts and lawyers, but which, God be thanked for it, we have absolutely nothing to do with.

Then we have eighteen on "Ecclesiastical Courts belonging to the Jurisdiction of Bishops and Archbishops, and the Proceedings in them;" two under the title "Judges, Ecclesiastical and their Surrogates;" five under the title of "Proctors;" four under the title of Registrars;" one under the title of "Apparitors," whatever that may mean, and three under the title of "Authority of Synods;" in all one hundred and forty-one; in all the fourteen divisions, three divisions only which can possibly be understood by any man who, will look thoroughly into this matter and tabulate them, as bearing upon the Ritual of this Church or of any Church, the Church of England even.

Now, allow me to review, very briefly, the Canons which do touch on ritual. Under the second division, namely, "Of Divine service and the administration of the Sacraments," there are nine Canons

in all. Of them there are six Canons which bear partly upon ritual. I beg your close attention to them. One of them, under the title of "Students in the Universities," the Canon referring afterward distinctly to the Universities of Oxford and Cambridge, requires students in the Universities to use surplices in time of Divine service. I do not care what the students in Oxford and Cambridge do, or are bound to do, and it will never tear this Church to pieces however we may decide what they are bound to do. It was simply never in use, *ex necessitate rei*, in this country, because we never happened to have Oxford and Cambridge in this country. So, also, Canons 24 and 25, under the same head, the one declaring that copes shall be used in Cathedral and Collegiate churches in the administration of the Sacrament of the Lord's Supper; the 25th declaring that surplices may be used at other times, and shall be use in Cathedral and Collegiate churches, neither of which is within our purview, because never having had, before 1789, Cathedral and Collegiate churches, laws of ritual concerning them, of course, were not in use or in force in this land. So there go three out of the six.

Now we come to two others, namely, the 21st and 30th; the 21st, that the minister shall deliver the bread and wine to every communicant severally; the 30th, that the cross in baptism shall be used. In both instances this Church has superseded those Canons by distinct legislation on the very subject, on the subject of the cross in the rubric on the baptismal service; on the subject of the delivery of the elements in the Communion service, by rubric. Therefore, they are superseded by the very terms of the proposed Canon on ritual.

We now come down to one single one left of those six which concerned ritual, namely, the 18th, "A reverence and attention to be used within the church in time of Divine service." What are the three noticeable provisions of that Canon? They do evidently concern ritual. One is, it enjoins lowly reverence at the name of Jesus; another is, it declares that men who have infirmity shall not be allowed to cover their heads with any sort of hat or cap they may please, but shall wear, during Divine service, where, owing to the prevalent coldness of the churches in those days, I suppose, they must be protected, a night-cap or coif; and the third enjoining "audible" joining with the minister in the confession in the Creed, etc., and audibly responding in all parts of the service where responses are ordered. Was this in use in 1789? I think it must have been, partly. I have not a doubt that many of those devoted and noble old Englishmen were in the habit of reverently inclining the head at the mention of the name of the Lord Jesus. It is in use, partially, now. I have seen good Christian people do it. I never heard, in my life, of any devout man or woman being shocked if a man or woman, sitting or standing in the Church, did make visible inclination of the head at the mention of the adorable Name. But, sir, the Canon is not in such binding use as to make it an absolutely imperative thing, because here is another provision in the very middle of it, which I have read, which no man in his senses would claim was the general law of this Church, namely, that all our forefathers, up to 1789, who were in cold churches, should adorn and

protect their heads with that particular article called a night-cap or coif.

So, I pass from those six Canons, which, I believe, we may regard as fairly spiked so far as any danger is concerned in this Church, to the consideration of two or three others. Among all the 46 Canons entitled "Ministers, their ordination, functions, and charge," we have only two which bear, by any possibility, upon the matter of ritual. One is, that the minister shall bid prayer before sermons; and for whom, and for what? For the king and all the estates of the realm, and so on. Was it a common thing, in 1789, for men to rise up in those old colonial pulpits, the pulpits then of the United States of America, to bid prayers for the King? I trow not.

Then the second one is—I quote the very language—all ministers in the ministration of Divine service, shall wear "a comely surplice with sleeves." I believe that was in use in the year 1789, as I believe it is in use to-day, and I do not know of any other Canon which makes a surplice the lawful garment of this Church except that Canon which is undoubtedly in use in this American Church. Why, sir, we have been alarmed on this floor, not by the substance, but by the funny method of the learned gentleman from Wisconsin (the Rev. Dr. DeKoven), who said that we should have something which perhaps this Church would not like, namely, a surplice with sleeves put upon us if we adopted the English Canons. I do not know what that gentleman is accustomed to see in his own section of the country, but for myself I am free to say that the only approach to a surplice without sleeves that I ever saw in my life is the Bishops' rochet, which is put on before the rest of the Episcopal garments are worn, and if there be any part of the country in which gentleman are accustomed to administer in the services of this Church in a surplice that has no sleeves, I hope this Canon is in force, and will soon fetch them up. We are not told of course, about the style of the sleeves. It does not say tight sleeves, or loose sleeves, but sleeves, and a very decent thing it is to have sleeves.

And, still further, allow me to suggest, I hope this Canon is in force, because it will do us a vast deal of good. There are surplices in churches in this land now, which I have been restrained sometimes from merriment over from their extraordinary scantiness both in length and in breadth from their extraordinary resemblance to garments not usually worn in public service (laughter)—I have been restrained, I say, from merriment over those garments only by the sober reflection that in the judgment of charity, I supposed I ought to attribute the manufacture of those garments to that very sad period in our history, when, owing to our terrible war, the material for textile fabrics was absolutely not to be procured. (Laughter.)

And, sir, if this Canon be in force, we have another very capital little provision, whether a surplice with sleeves be an awful thing or not, that when any question shall arise as to the decency or the comeliness of the said surplice, it shall be adjudged "at the discretion of the Ordinary." So that those old English Canons actually had hit upon this terrible principle of which we are talking about here to-day, 200, aye, almost 300, years ago.

One word more about these Canons, and I am done with them. I cannot hesitate to say here, in this presence, and I say it with all solemnity, that I am amazed at the egregious mistake which was made by the truly learned deputy from Wisconsin, and, to be more particular still, I must say by the learned head of Racine College, in quoting one Canon that comes under that general division, namely, Canon 74. Of course it was a mistake. It could have been nothing else. No gentleman would rise on the floor of this House, and convey for one moment the impression to this Convention that certain ludicrous, and distracting, and intolerable things would be forced into the Ritual of this Church, by the adoption of those Canons, unless he had made a mistake as to the subject of the Canon from which he read. We were led, some of us, to believe—I have been led to believe by reading his words deliberately in print—that he conveyed the idea that we should have brought about in this Church gowns with standing collars, and sleeves straight at the hands, and wide sleeves, and square caps, and priests' cloaks without guards, welts, long buttons, or cuts, that there should be no doublet and hose, that there should be no light-colored stockings, and all that sort of trash. I desire simply to say, that that Canon, neither in its title nor in one word of the half page of the octavo volume which contains it, has the slightest reference to the dress of ministers in the House of God, conducting Divine service, but refers only to decent apparel for those ministers, many of them distressingly poor in those times, when they were about their private life; distinguishing them, on the one hand, from certain requirements of the Universities, and, on the other, preventing any vain, conceited men of the ministry arraying themselves possibly in doublet and slashed hose, and I know not what, of the gayly-dressed gentlemen of those times; but it has not the slightest possible reference to anything that concerns worship in the House of God.

Now, sir, I must ask the House to pardon me a little longer. It is not my fault that these Canons are as they are; but when we come to that division in which are nine Canons, of "Things Pertaining to Churches," we have a few which are binding, perhaps, in this Church, some which are palpably not binding, and some which may possibly be doubtful. First, we have a great Bible and Book of Common Prayer, to be provided in every Church for the ministration of the services. I suppose it will be conceded that that was in use in 1789, and is in use to-day.

Next, we have a pulpit, not of any particular shape, but a place to preach from—a pulpit in every church, which, I believe, was in use in 1789, and is in use to-day.

Next, we have two other matters which may, perhaps, be doubtful.

All these, I think, under this division, are rather matters of ornament, as the English have it, than of ritual, but let them pass, if you please, as matters of ritual.

We have the requirement, in the 81st Canon, that there must be a font of stone in the ancient usual place in every Church, by which, if it be meant that in every Church there must be a stone font

down by the Church porch, I suppose it probably was not in use in our Churches on account of their poverty in the year 1789. It is no matter whether it was in use or not, so far as we are concerned.

Next, there must be in every Church an alms chest, having three keys. Those are the very words of Canon 84. I presume it will be conceded that it was not in general use, in the year 1789, to have an alms chest, with three keys, in every Church.

Now we have the 82d Canon, which is of some importance, namely, it touches ritual, if ritual and ornament, as the English say, be synonymous, which I doubt. There must be in every Church a Communion Table, with carpet of silk, or other decent stuff, and so placed that the minister may be more conveniently heard of the communicants. But go on a little further before you judge whether that Canon was in force in 1789, if you must adopt it as a law. There must be, also, by the very same requirement, in all Churches, the Ten Commandments emblazoned or written on the east end. There must be, still further, by the requirements of the same Canon, "chosen sentences"—that is the phrase—"on the walls of the church." The whole Canon palpably was not in use in 1789. If you prefer to say parts of it were in use, you have done nobody any harm, because, as to the Communion Table, about which an argument was made by the learned deputy from Virginia, I only desire to say that if it were in use, and if it were in use also to cover it with a decent carpet of silk, or some other stuff, the Prayer book has since legislated upon that very matter, and has declared it lawful to have the thing and the name "altar" in our Churches; so that if the old Canon law be in force, as I believe it is, Communion Tables are legal, and the Prayer Book having also added to that by its legislation, altars also are legal, and altar-cloths are legal in both cases.

And, now, Mr. President, I can only pledge my own reputation for honesty that I have reviewed these Canons, giving you the titles of every division, and going over the ground as thoroughly as I possibly could. The results of that review are simply these, in a word: The Ecclesiastical Constitutions and Canons are found under fourteen divisions. Of these, three only contain ritual. Of the one hundred and forty-one Canons in all, one hundred and twenty-eight have no reference to ritual, leaving thirteen which have reference to ritual, if you make ritual and ornament of churches synonymous. Of the five touching the latter matter, "ornament of churches," in other words, according to the title, "things appertaining to churches" which are not precisely ritual,—of the five doubtful, two were not in use in 1789; two of them were in use and are in use to-day; one of them was only partially, if at all, in use, and is now modified by subsequent legislation of the Prayer Book. The remaining eight, which have direct reference to ritual, have four which were never in use in this land; two which were in use, but have been modified by subsequent legislation, namely, by Rubrics in the Prayer Book; one was probably partially in use, and is partially in use in the Church now; and one was, and still is, in use. Thus, gentlemen, so far as the Canons are concerned, this fearful apparition, these dreadful English Canons,

seem to be nothing which will ruin this Church, even if they should be turned, loaded as full as they may be, and muzzle on, toward every clergyman in this land.

I trust I may be pardoned a few words more. This has been a very dry matter to me, and I want to say one or two words more about propositions which I conceive to be fallacies. The objections taken to this proposed Canon of Ritual are, it seems to me, some of them ill taken, and some of them absolutely untrue. For instance, we have set before us an argument from the learned deputy from Wisconsin, framed on the fact that there are churches all over this land where the music is fearfully costly, and fearfully and shockingly exclusive, where wealth frequents, where the services are conducted in such a way that it would cost more than a man can estimate to save the soul of any individual worshipper. We have it also distinctly stated to us, as part of the argument that many of those gentlemen who are called Ritualists are men of the purest life; they are men of eminent holiness and devotion; they are men who would lay down their lives on the altar of God's sacrifice where pestilence reigns; that they would go even to the death for the sake of the dear Lord whom they honor and worship. We have it laid before us also that many of them are devoted in their work among the poor, that many of them are full of all manner of benevolences toward causes which are greatly neglected in the general Church.

I admit every one of these things; I grant them all on the instant; but, sir, in the name of truth, of fair dealing, in the name of righteousness, I protest against the inference that is drawn. Is it so that Ritualists, if they do hold false doctrines, are to be protected in this Church because, forsooth, there are very many churches of those who are non-Ritualists which are very lavish and very wicked in their expenditures? Is it so that, because the music in some churches is far too costly, therefore Ritualistic services must not be at all checked, especially when it stands true to-day that in no congregations in this land, in proportion to their numbers, is so much spent for music as in those very Ritualistic churches; the leader of all the churches in the land, to the best of my knowledge and belief, in the matter of expense in music, and artistic music, in the house of God, being Christ Church, in the Fifth Avenue of New York, the church of the Rev. Dr. Ewer, whose music costs it \$12,000 a year.

Then, again, as to work among the poor, I care not how it may be in England; I observed here yesterday, listening to this debate with very great interest, an admirable man to whom this Church owes a great debt of gratitude for introducing to its notice in this country with a very favorable editorial preface. Spooner's "Parson and People"; a book going to show what a vast work the Church of God was doing among the very poor, and which was introduced and commended by this distinguished gentleman, a well-known eminent Congregational divine. That work was not a ritual work. That work is the type of a very blessed work going on all over England that is not ritualistic. What I protest against is, the argument be-

ing made that if you should suppress ritualism, you would probably suppress the working element among the poor in this land. I beg leave to ask gentlemen where in this land are your ritualistic churches that are regenerating the face of society by their work among the poor? Where are they? Are they in this city? Are they in Philadelphia? I appeal to the distinguished lay gentlemen [Mr. Welsh] who knows something about the work in Frankford, is there no work to be done except through ritualistic churches? Are they in the city of New York. Put your finger on one of them. Is Christ Church, in the Fifth Avenue, a church laboring among the poor, unless you construe poor to mean poor in the sense that people are concerned with this world's accursed fashions and this world's utter wordliness and idolatry? Is it the little church close by Madison avenue, one of the most aristocratic parts of the city of New York, called St. Albans? Is it the little chapel, called the Chapel of St. Sacrament, which selected its place for work among the abject poor in that particular region of Broadway which is surrounded by the wealth of a great city?

Where are the ritualistic churches in this land that are regenerating the land by their work among the poor? For every one you will bring me, I pledge myself to lay down the names of ten which are not ritualistic, and which are doing a like blessed work. I find churches at work in the Five Points. I find them at work in Avenue A in New York. I find them at work by the dry docks. I find them at work down in Stanton street, where, God be praised, I was privileged to spend the first year of my ministry learning how, in some humble measure I hope, to work. There are plenty of them in the hard places, the slums of New York; but I do not happen to have discovered that all the good work there is done by the ritualistic churches, and I do not happen to have discovered that much, if any of it, is.

We are told that this Church needs peace. It is granted. I have no argument to make about it. I do, however, want to say that the preposterousness of the position of gentlemen who take their stand on this floor and cry out for peace, "in God's name give us peace," when they themselves—not Ritualists, of course, for it has been conceded that there are no Ritualists in this House—but they are speaking in the interests of Ritualists. I say the preposterousness of that position is most extraordinary. A party—I use the term for convenience, and without bitterness—has effected lodgment in this Church during the last ten years, not known in the Church before. There may be, I know not how many, there may be one in a hundred of the clergy of the land, there may be ten in a hundred, for all I know—it is a very small minority, which, of course, is nothing against it—but, having effected a place in this Church and considerable influence, they now turn around upon the great mass of the old-fashioned High Churchmen and the old-fashioned conservative Low Churchmen of the land,

and gathering themselves together, say, "In God's name, give us peace." Why, sir, those gentlemen who have brought in doctrines that are disturbing this land through its length and breadth, that are troubling the women and children of this land, who ought not to be thus rent, as it were, to pieces by such wretched contention as this; those gentlemen who have introduced these afflictions and trials into this Church are the gentlemen who turn upon parties—I will not say parties—upon schools of thought which are as old and well established in this Church, and, to use a comparison, if I may venture to use it, are, in comparison with this new company of men, as old as faithful Abraham was in comparison to that little child of David's that was born out of unlawful glances toward the sensuous beauty of the wife of Uriah the Hittite; these are the gentlemen who, having effected lodgment, and after having disturbed the peace of this Church, rise in Convention and say, "For Heaven's sake do not do anything that will disturb the Church, let us have peace in our time." I hope we shall have it.

One word further. It is declared in this House that there is no Ritualism in the Church—not in this House; that we understand. That is the standing joke of the House. Let that pass. It is declared in this presence that there is no Ritualism in the American Church. I suppose those gentlemen who so declare would just as lief declare that there is no Ritualism in England; and I should think that they might just as well declare it. It has escaped their notice of course that there was Ritualism in this Church in the days when these words were uttered, not by one man, but by a good many men, namely, the unanimous utterance of the House of Bishops at the close of the Convention three years ago:

"We would, at the same time, deprecate most earnestly those extravagances in Ritualism, recently introduced"—Then new; not so now—"which tend to assimilate our worship to that of a Church not only alien, but hostile to our own."

These gentlemen tell us that they have never heard of any ritualism. One gentleman from Alabama, with an innocence that was truly attractive, aye, it was fascinating, has declared that he not only never saw a Ritualist, he never heard of ritualism except on public rumor; he never saw it defined, and he does not know how to define it. Why, Mr. President, and my dear brethren of this Convention, if that dear old pensive poet of England had lived in these times and heard such an utterance, he never would have said:

"Oh, for a lodge in some vast wilderness,
Some boundless contiguity of shade."

But he would have said, I verily believe:

"Oh, for a lodge in Alabama,
Such boundless contiguity of shade."

[Laughter.]

No ritualism in this land! Well, perhaps there is none. Somehow or other, gentlemen have got awfully befogged in coming to this Convention, for

I would appeal, if I dared, to the interest of this swarm of lay people which has crowded this church every day when it was supposed that there was ritualism in the land and that it was to be talked about; I would appeal to the sentiment of this House to say whether that gentleman from Alabama would have dared in this place to declare that he did not know what ritualism was if he had only postponed his speech three days and heard the debate in this House. I submit further, that gentlemen who can conscientiously say after the agitations which have almost rent the English Church in the last three years, and have distracted our own, that they do not know what ritualism is, would do well to withdraw from legislation on an unknown subject. [Laughter.]

I am conscious that I am speaking altogether too long, and so I shall not take up some points which I had thought of touching upon, but pass directly to one or two other matters. I desire to say one word about that fallacious argument with regard to repressive legislation. It has become almost a cant term in this house; it is passing into use now in our legislation as cant,—“repressive legislation.” “Whatever else we have in this House, for Heaven's sake do not have anything that can be called repressive legislation; we never have had it in this House.” Oh, no, of course not, Mr. President. Our Canons teach I do not know exactly what they do teach; I thought they repressed people sometimes from doing things they ought not to do,—they teach something or other, I do not know what; but they do not repress anybody; they never have restricted anything! Oh, no! We legislate for the enjoyment of people; we legislate for a Church that needs no legislation; at any rate, whatever else we do, believe me, gentlemen, we never have in that body of Canon law any repressive legislation! It is true we have sometimes straightened the earnest desires of candidates for the ministry, full of the love of God, and who desire to go right to work. We have said to them, “You cannot go to work now; the rest of the Church forbids your going into the ministry at once.” We have actually shut the very doors of the Church against men who have been for twenty years ministering at other altars, and with a life that was glorious in its self-sacrifice, have come to ask us now to be admitted to this Church and administer here. We have done that which I thought was repressive. The Church has said, “Notwithstanding your heart burns with love for God, we must repress your desired line of action for a little, for six months, or in some cases, for three years.”

“We have repressed our brethren of the Low Church party; and not being exactly of that party, I can talk about brethren. We have repressed them over and over again when they thought it would conduce to greater glow to have ministers of all denominations brought in and so fan the flame to a great heat. We have repressed them when they have desired to make more fervid their meetings by extemporaneous prayers. We have repressed

them when they have asked by bushel baskets full of memorials to change the order of the Prayer Book, to drop out a word here or there; we have thought it was suitable to repress their over ardent zeal: and I suppose no gentleman here to-day, even from dioceses which represent desires that in my judgment need a little repression—I suppose there is not an enthusiastic man among them who expects anything else of the memorials which he has brought in here but that they will be repressed.

We have already got a little precedent for repressive legislation. We have already repressed the desire of a large number of men to drop one little word out of one of the services of the Church. Why? Because the simple omission of that word, without a word added, would awaken the suspicion, without declaring it, that those men do not accept what was thought to be the meaning conveyed in that little word. And now when gentlemen come before us declaring on the floor of this House that the Prayer Book is only a minimum of public worship, the maximum being a thing not yet attained, but to be attained after all these devoted gentlemen; have improved it as they please by additions to it, when gentlemen tell us that they must be permitted to signify by actions ten times more plainly than the other party wanted to signify by omissions, their belief in a certain doctrine, the cry is raised, "For Heaven's sake, no repressive legislation."

We are told that none is needed, and this is my last point. We are told that we do not want anything further. We are told that Ritualism has probably received its death-blow. How? When did it receive it? When is it going to die, if it is now staggering under the blow? I have, during the last three years, read with some care the papers which are avowedly Ritualistic—for there are papers which are Ritualistic, if there are no men. I have familiarized myself somewhat with the statements of both English and American papers on this subject. I have found that so far from standing by, as they all seem to do in this House, to receive the *coup de grace*, or whatever you may call it—I was very near saying that would knock the wind out of them, something to lay them all out and put an end to these extravagances—they claim in their papers, growth, strength, development, and everything else that a party might desire to claim which wanted to gain power. And nothing has amazed me more than when I have read these lion-like voices in their papers, English and American, voices which have chronicled successful gains, voices which have told of a new development, voices which have declared how far they had gotten now, and their plans for the future, I have been amazed beyond parallel to see how the lion-like voices that roar outside become the bleating of lambs when they come within the House of God. Here there is nothing thought of further, here there are no further plans; outside there are all sorts of plans, and the statement that Ritualism is to die out of itself, is a statement which, if you were to make in the face of an avowed Ritualist outside of

this House, there being none inside, he would laugh you to scorn.

I think it is time now that we did have some repressive legislation. I, for one, go for repressive legislation. I say that Ritualism, during the past three years, has grown and increased in stature, and in spirit, and in proportions, by every test which men ever apply to the growth of any party or school of thought, whether religious or philosophical. I say there are practised in this land, and of course in England, to-day, ceremonies which would not have been tolerated, and which were not actually invented, three years ago. I say that three years ago you could not have seen, as you can see now in this land, some of which things have been seen within the last seven days. You could not see Christian women, for instance, whose especial charge it was to take care of the chancel, dropping on their knees at the chancel gate before the altar, before they should venture to enter that sacred precinct. I say that it was not known to this Church three years ago that men in a large city could administer the Sacrament of the Lord's Supper and one man among them, if not more, not merely genuflecting, not merely kneeling, but prostrate on the floor, his face only lifted from the dust by his hands, while in the act of administering in the chancel at the Sacrament of the Lord's Supper. I say that in England Ritualism has taken a mighty stride forward. I say that it is part of the declared plan and purpose of the system to advance. I say that it has been preached in pulpits, and preached before conventions, that as soon as the time is ripe, which is not quite yet, we shall "get back many of the glorious old Catholic usages which we have been compelled by this cold and niggardly Church of ours to abstain from during the present distress of law," and the like.

I say still further, and that shall be my last remark, that it has come to this, that services are now so maintained in many places that language is not for a moment restrained on the part of ministers of this Church, which declares the old service as conducted in ninety-nine one-hundredths of the churches of the land to-day by those who stand in rank and file as the High Churchmen of the land, to be frigid, rigid, hard, uninteresting, unattractive, and naturally incapable of attracting the people of this land. And, sir, we have seen what I assert here as in the sight of Almighty God, I never did expect to live and see in this land—we have seen a gentleman stand on the floor of the General Convention of the Church in this land and depict in language so eloquent that I believe in his lofty flights he must have taken leave of all logic, for logic, although it may arrive at eternal conclusions, always walks with a firm foot on the earth—I say we have seen this marvellous sight and heard this marvellous thing, that a man of noble life, a man whom I am proud to call my friend of twenty years if he will allow me so to call him, a friendship dating back when we were both students of theology—we have seen it declared here that this Church

of God, all full of life, of glory, of holy enthusiasm, this Church working now as it has worked before since it was a National Church, this Church whose every nerve is tingling with life, and which is baptized, as I believe, day by day, with the abounding effusions of God's Holy Spirit, is a dead thing, laid out in the grave, wrapped up in cerements and grave clothes, and that our dear Lord who from His Throne in heaven is watching us, has no word to say: "Well done, good and faithful servants," has no such utterance to say, as he once said over one of those struggling churches mentioned in the Apocalypse: "I know thy works, and thy labor, and thy patience," but has only to say to this Church, dead, wrapped up in the cerements and grave clothes of restrictive legislation: "Arise; come forth; loose her and let her go." We have lived, I say, to hear this extraordinary declaration, made in the face, in the very face, of this representative body, and every man in the Church so held spell-bound, perchance by the force of the eloquence of the speaker, that not a man among us all was found to spring to his feet and repel the insinuation against the dear mother of us all, who, though prolific of nations, God be praised for it, is ever young, and never so young and full of life as at this very moment.

On motion, the House took a recess until 7 o'clock P.M.

EVENING SESSION.

The House resumed its session at 7 o'clock P.M.

REPUBLICATION OF EARLY JOURNALS.

The Rev. Dr. Perry, of Western New York, presented the following report:

The Joint Committee on the Republication of the Early Journals of the Convention, respectfully report that an effort is now on foot, which, if it meets the support it deserves, will secure the design of their appointment. They therefore respectfully recommend to the patronage of members of the Church the proposed republication of the journals of the first half century of our ecclesiastical organization, which, with the volume of documents and unpublished manuscripts from the archives of the Church, will place within the reach of every inquirer the facts of our early history and the opinions of those whose exertions secured, under God, our independence and our present organization. The committee, therefore, recommend the passage of the following resolutions:

Resolved, That this House direct the Secretary thereof to subscribe in its name for twenty-five sets of the republication of the early journals (the prospectus of which is now in circulation in this House), and that he be directed to reserve a certain number of those sets, completing the same for the use of both Houses of this Convention, agreeably to the joint resolution of the last Convention, placing the others in the most important libraries of our

Church institutions for preservation and for the purposes of reference and consultation.

Resolved (the House of Bishops concurring), That the Joint Committee on the Republication of the Early Journals be continued, having the oversight of the present proposed publication, and giving, when it is issued, its attestation of accuracy if found to be deserving the same.

Resolved, That the committee consists of the Rev. Drs. Mead, Howe, and Perry, and Messrs. Samuel B. Ruggles, Henry P. Baldwin, and Enoch R. Mudge.

The resolutions were adopted.

TRUSTEES OF RELIEF FUND.

A message (No. 52) was received from the House of Bishop announcing the passage by that House of the following resolutions:

Resolved (the House of Clerical and Lay Deputies concurring), That inasmuch as the second section of the act of the Legislature of the State of New York incorporating the Trustees of the Fund for the relief of Widows and Orphans of Deceased Clergymen and of Aged, Infirm, and Disabled Clergymen of the Protestant Episcopal Church in the United States of America, requires that a Board of seven Trustees be appointed triennially by the General Convention on the nomination of a Joint Committee thereof, so much of the resolutions passed on the 13th day of the present session by the House of Bishops and communicated in their message No.— to the House of Clerical and Lay Deputies as appointed Trustees of said Fund for the next three years, be reconsidered.

Resolved (the House of Clerical and Lay Deputies concurring), That a Joint Committee be appointed to nominate Trustees for said Fund for the three years ensuing.

Resolved (the House of Clerical and Lay Deputies concurring), That in vesting the property of the Hymnal in the Trustees of the Fund above mentioned, the General Convention does not divest itself of the right at any other time to make such disposition of the Hymnal as it may deem expedient.

Resolved, That the Bishops of New York, Easton, and Maine be the members on the part of this House of the Joint Committee to nominate Trustees of the fund above mentioned.

The Rev. Dr. PERRY, of Western New York. I move concurrence in those resolutions.

The motion was agreed to.

RUSO-GREEK CHURCH.

A message from the House of Bishops (No. 53) announced the passage by that House of the following resolutions appended to the report of the Joint Committee on communication with the Russo-Greek Church, which report was also communicated:

Resolved (the House of Clerical and Lay Deputies concurring), That this Convention cordially reciprocates the expressions of fraternal regard so frequently received within the past three years from the Most Reverend the Patriarch of Constantinople, the

Most Reverend the Patriarch of Jerusalem, the Most Reverend the Metropolitan of Athens, and the Holy Governing Synod of the Holy Orthodox Church in Russia, by dignitaries of the Church of England and by members of this Church both of the clergy and the laity; that it takes grateful recognition of the courteous action by which the administration of holy rites for burial of the dead of our communion has been provided for by the authorities of the Holy Orthodox Church and that it earnestly desires the continuance and increase of such intercourse and mutual good offices of love.

Resolved (the House of Clerical and Lay Deputies concurring), That the Joint Committee on the subject of intercourse with the Russo-Greek Church be continued and be charged with the communication of the foregoing resolution to the venerable authorities of the several branches of the Holy Orthodox Church.

Resolved, That the said Joint Committee be also charged with the duty of taking further steps for the acquisition and communication of such information as may be mutually important and interesting to this Church and to the Holy Orthodox Church in Constantinople, Greece, and Russia, with such publications thereof from time to time as may be deemed needful and prudent.

Resolved, That the said Committee on the part of this House consist of the Bishops of Maryland, Illinois, New Jersey, Western New York, Florida, and Long Island.

The Rev. Dr. PERRY, of Western New York. I move concurrence in these resolutions.

The motion was agreed to.

PRINTING OF MEMORIALS.

A message (No. 54) from the House of Bishops announced the passage by that House, of the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That the Secretaries of the two Houses of the General Convention be instructed not to print in the Journal of the General Convention any memorials which may have been presented to either House except such memorials shall have been favorably acted upon by the General Convention.

The resolution was concurred in.

MISSIONARY JURISDICTION OF NIOBRARA.

A message (No. 55) from the House of Bishops, announced the passage by that House of the following resolutions:

Resolved, That instead of the resolution adopted by this House on October 27, 1868, establishing a new missionary jurisdiction, this House do establish from and after January 1, 1872, a jurisdiction with the following boundaries: On the east by the Missouri river; on the south by the State of Nebraska; on the west by the 104th meridian, by the Territory of Wyoming, and Nebraska; on the north by the 46th degree of north latitude, and the several Indian reservations north and west of the said river.

Resolved, That the style of the Bishop of the Indian jurisdiction now erected shall be "Missionary Bishop of Niobrara."

THE HYMNAL.

A message (No. 56) from the House of Bishops announced the adoption by that House of the following resolution, which was, on motion of Mr. Welsh, of Pennsylvania, concurred in:

Resolved (the House of Clerical and Lay Deputies concurring), That the Joint Committee on the Hymnal be directed to arrange for and superintend the printing of the first edition of the new Hymnal.

MISSIONARY JUBILEE.

A message (No. 57) from the House of Bishops announced the adoption by that House of the following preamble and resolutions reported by the Joint Committee "on the proper mode of improving the semi-centenary of the Domestic and Foreign Missionary Society":

WHEREAS, this year of our Lord 1871 is the semi-centennial anniversary of the Domestic and Foreign Missionary Society; and whereas the manifest blessings of Almighty God have rested upon our missionary work; therefore

Be it Resolved (the House of Clerical and Lay Deputies concurring), That in humble recognition of our gratitude to God for His loving kindnesses, it be recommended to all the congregations of the Church in the United States to celebrate this semi-centenary as a missionary jubilee by suitable public services and by a renewed and solemn consecration of themselves and their substance to the Lord.

Resolved (the House of Clerical and Lay Deputies concurring), That it be urgently recommended to the clergy to hold missionary meetings on some Sunday during the season of Advent, and that they be requested to make collections and to take such other means as they may think proper in their respective parishes for the creation of a jubilee fund to be devoted to the extension and upbuilding of the Church at home and abroad.

Mr. WELSH, of Pennsylvania. I move that this House concur in that preamble and those resolutions.

The motion was agreed to.

ASSISTANT BISHOPS.

The Rev. Mr. ROGERS, of Texas. I desire to move that message No. 49 from the House of Bishops be made the order of the day immediately after the disposal of the order made for 8 o'clock this evening.

Mr. LIVINGSTON, of New York. What is that about?

The Rev. Mr. ROGERS, of Texas. It is a message from the House of Bishops which makes provision for the granting of the memorial of Texas and California for more Episcopal oversight. It is a Canon devised by the House of Bishops to meet that want, and unless it is heard here to-night or very soon and action had upon it, it will be impossible to get it through this session, and it is very important.

The Rev. Mr. BRONSON, of North Carolina. It not only meets the case of California and Texas, but meets also the case of other dioceses inasmuch as it provides, that Assistant Bishops may be provided on account of the extent of the diocese.

The motion was agreed to.

TERRITORIAL DELEGATES.

The PRESIDENT. The order of the day for this hour is the "Canon authorizing the appointment of

delegates from Missionary Jurisdictions," reported by the Committee on Canons.

The Rev. Dr. McNAMARA, of Nebraska. I should like to call the attention of the House to the speech made by the distinguished gentleman from New York, (Mr. Ruggles), on that subject. I want nothing more said on the subject and am ready for the vote.

Mr. McCRADY, of South Carolina. I am not ready for the vote; I have a proposition to make.

The Rev. Dr. McNAMARA, of Nebraska. I did not give the floor away, but called for a vote. If there is to be discussion, I claim the floor.

The PRESIDENT. Very well.

The Rev. Dr. McNAMARA, of Nebraska. Mr. President, the Committee on Canons have favorably reported this matter. If they had reported it new tonight, with the pressure of business upon us, I do not suppose there would have been one word said against it, it would have gone through like a message from the House of Bishops for concurrence therewith, but having been brought in in the early part of the session when gentlemen felt disposed to whet their swords in debate, it received considerable discussion. But the Committee on Canons have favorably reported; distinguished gentlemen on the floor of this House have made speeches in favor of it; and only in imagination can there be any objection to it. There is no constitutional objection to it except by implication that this Convention can do nothing except what powers are expressly given by the Constitution. It was shown eloquently and forcibly by Judge Ruggles that that position cannot stand.

Sir, I plead for the inchoate dioceses away out west of the Missouri river, and away down in the southern country. Arkansas, for instance, that was for thirty years a missionary jurisdiction, without a voice here. I will say also that if this Canon should pass, it will prevent the premature formation of regular dioceses, by giving the missionary jurisdictions a partial, and a very partial, representation on this floor. It seems to me, unless there are very strong constitutional objections, of which none have been brought forward, the gentlemen of this House should be kind enough and considerate enough, to the missionaries in that section, to give them this representation which can certainly do them no harm, and will do us a great deal of good out there.

Mr. FAIRBANKS, of Tennessee. We have adopted a precedent in this matter, which I think should settle it. In Article XIV. of the Constitution, of the Board of Missions, it is provided that "at all meetings of the Board, the Missionaries of the Board in actual service who may be present, both of the Domestic and Foreign Committee, shall be admitted to seats in the Board, with a right to participate in the deliberations, but without the right to vote." That is the precedent we have had on our books for many years, and I think it is conclusive.

Mr. McCRADY, of South Carolina. I have entertained very serious doubts about the constitutionality of this thing, and I have prepared a resolution which I think will accomplish all the objects gentlemen wish. I have no objection to these outlying jurisdictions being placed in such a position as I think they ought to be. We have a right to say who shall sit in our House; but will you send to the Bishops and ask them to concur with this House about who shall sit in this House? Now if you want that sort of concurrence, you must alter the Constitution; but we have a right to say who shall sit in our House, and that we can do; and I propose that that shall be a standing

order. That will be the way to effect the object, and then these gentlemen will get their seats, and we shall be strictly within the line of the Constitution. Let me read my resolution:

Resolved, "That — clerical and — lay delegates" — (say "two" from each if you please) — "to be chosen by any convocation of all the clergy and representatives of the laity, convoked by the authority of the Bishop of any Missionary Jurisdiction within the limits of the United States, shall be entitled to have seats assigned to them in this House, and may be allowed to speak on any question, directly and specially, affecting their respective jurisdiction and no others, upon the motion of any member of this House; and that this be a standing order of this House and printed with its Journal at the end thereof."

The result of that will be, that it will never be repealed and it will always stand, and it will be a standing order, each House will adopt it in succession, and you will effect all your object without touching on the question of the Constitution. The proposed Canon provides for the Bishop's consent, allows the Bishop to send delegates here.

The Rev. Dr. HOWE, of Pennsylvania. The Bishop and Standing Committee.

Mr. McCRADY, of South Carolina. Why should the Bishop have anything to do with it? Once we had such an order here and Bishops were allowed to appoint substitutes for those who were elected. That was abrogated, because the inconsistency was seen of one House having the appointment, or anything to do with the appointment of the members of the other House.

My resolution effects the object, entirely avoids any question about the Constitution, and then if we find this is inconvenient and does not suit us, we do not have to go to the House of Bishops and ask whether we shall re-arrange our House, but we can do it ourselves, and if we find that it succeeds, that it works well, this will stand forever. Just make it a standing order.

The Rev. Dr. HARE, of Pennsylvania. I move that all speeches on this subject be limited to five minutes, and that no person speak more than once.

The Rev. Dr. McNAMARA, of Nebraska. I move an amendment that we take the vote in five minutes.

Mr. McCRADY, of South Carolina. I have said what I have to say.

Mr. WELSH, of Pennsylvania. This is of course just killing the report of the Committee on Canons entirely. We cannot bind the next House.

The Rev. Dr. McNAMARA, of Nebraska. Can we substitute for the report of the Committee on Canons a mere resolution of this kind?

The PRESIDENT. An amendment can be moved.

The Rev. Dr. MEAD, of Connecticut. This motion precisely suits my views, and I accept it; I am willing to vote for it. In the Committee on Canons, I was not willing to subject this House in relation to its own members or those who were permitted to sit here, to a concurrent vote of the House of Bishops. This resolution covers everything, and if we pass this we get rid of a vexed question, and we give to any of these Missionary Jurisdictions with a convocation authorized by the Bishop, on the vote of that convocation, an opportunity to come and take seats here, and if they desire to speak on anything germane to their interests, to do it. That is all that they should ask.

The Rev. Dr. McNAMARA, of Nebraska. I accept that.

Mr. RUGGLES, of New York. I move that the blank be filled with "one" clerical and "one" lay delegate.

Mr. WELSH, of Pennsylvania. I should like to know whether we can bind the next House, or whether, if this is passed, we shall have to meet next time and send word to Wyoming that we will let their delegates in before they send them. Can we bind the next House?

The PRESIDENT. The question is on the resolution proposed by Mr. McCrady, as a substitute for the Canon reported.

The substitute was agreed to.

The PRESIDENT. It is moved now to fill the blank with "one clerical and one lay delegate."

The motion was agreed to.

The proposition as amended was adopted.

ORDER OF BUSINESS.

The Rev. Dr. HARE, of Pennsylvania. I move now, with regard to the matters which are made the order of the day for half-past seven o'clock and for 8 o'clock, and afterward this evening, no member be allowed to speak more than five minutes or more than once. I understand there are two or three orders of the day for this evening.

Mr. KING, of Long Island. I should like to call up the report as to the New York Federate Council.

Mr. LIVINGSTON, of New York. I hope that will be taken up. I think it can be passed without discussion.

The PRESIDENT. There is a preliminary question as to what is the order of the day for half-past seven o'clock. The Chair understands the resolution which was adopted yesterday on the motion of Mr. Sheffey, of Virginia, as containing the Canon on Ritual as the order of the day continuously, and of the orders for this evening were made after the passage of that resolution they are superseded by it.

The Rev. Dr. HARE, of Pennsylvania. May I not ask to have a vote upon my motion? It is that, with regard to the matters expected to come up before the debate on Ritual Uniformity, all speeches shall be limited to five minutes, and that no member shall speak more than once.

The Rev. Mr. BRONSON, of North Carolina. There is a message from the House of Bishops, No. 49, involving relief to at least half a dozen dioceses and I wish to know whether that message should not have consideration more than could be paid to it in five minutes!

The Rev. Dr. HARE, of Pennsylvania. I am for having consideration of all the subjects; but I am of the belief that the members of the House are so tired that they will be glad that the consideration on the part of the several speakers be limited to five minutes. We want to go home. We feel sufficiently instructed already in regard to most matters. I want a measure which will expedite business. I press my motion.

The PRESIDENT. The question is on the motion of the deputy from Pennsylvania.

The motion was agreed to.

RITUAL UNIFORMITY.

The Rev. Dr. CADY, of New York. I have in my hand a memorial addressed to the General Convention of the Protestant Episcopal Church, signed by a large number of laymen in New York, relative

to the report on Ritual. I suppose this is a proper time to present it. Having glanced over it hastily, and finding it respectful in its terms I present it, and I ask that the Secretary read it to the House.

Mr. CARTER, of Maryland. I move to lay it on the table without reading, then any body who wishes to read it can examine it and read it to the House if he desires.

The motion to lay on the table was agreed to.

The PRESIDENT. On examination of the record the Chair finds that he was correct in his impressions as to the resolution adopted yesterday on the motion of Mr. Sheffey, and therefore the Canon reported by this Committee on Ritual is now before the House as the order of the day.

Mr. BARBOUR, of Virginia. Mr. President and gentlemen of the Convention, you will bear me witness, that, with a single exception, I have preferred to be a good listener rather than a wearisome talker. I have always thought, since I have been in this body, that it was not for me to interfere with the well matured results of committees, and I had, when this Canon was first brought in, determined to give it my entire adhesion. But I must confess that my interest and my doubts were aroused by what I must style the clear and cogent arguments of the reverend deputy from Pennsylvania, and when I came to examine more fully into this subject, I became convinced in my own mind, that to pass this Canon in its entirety, especially with that clause in reference to the English Canons, would be fraught with danger to our beloved Church. With this single exception, the Canon has my hearty approbation. Gentlemen, I dare not enter upon that more abstruse question of uses and Canons, because we have been cautioned by the reverend deputy from Massachusetts, that there was a serious danger of wreck, not only for laymen, but clerical delegates, and even for lawyers. But, sir, I hold in my hand the report of a decision made by one of the most learned judges in England, Sir Robert Phillimore, of the Court of Arches, and I only wish that every member of the Convention had that report in his hands.

The gentleman that we heard yesterday so attentively, and who spoke so fully on the subject of laws and Canons, and æcumenical councils, and who conducted us over such a long course from St. Chrysostom down to the Gospel according to Beecher, would have led us to believe that we are bound, and almost entirely bound by the records of those councils. But it seems to me that if his argument proves anything, it has broken up forever the necessity for all other councils, if we are to submit to them. But I have here the assurance, and given by a gentleman who I may say is regarded as a High Churchman in England, the proof that England herself did not consider that she was bound by the records of any of the old councils. In one clause, Sir Robert Phillimore says:

"The peculiar character of the English people and the English Church is also strongly shown in their determination not to admit the general body of the Canon law into these realms, but only such portions of it as were consistent with the Constitution, the Common Law, and the peculiar usages of the Anglican Church. The rules of the general Canon law were principally introduced into this country, and considerably modified in their intro-

duction, through the medium of provincial constitutions passed by the authority of the metropolitans of England. It is true that the Pope endeavored to maintain his authority in this matter by sending legates from time to time, and by the device of creating the Archbishop of Canterbury "*legatus natus*" of the Holy See. But England possesses in her provincial Constitutions, collected by Lyndewode, a body of domestic ecclesiastical law, upon which, before the Reformation, a national independent character was in many respects impressed. The common law was always disposed to recognize these constitutions, while to the general Canon law it always manifested considerable averseness."

I read, also, after some matter not germane to this point exactly:

"The plain truth is this: the Church of England meant to make use of her liberty and the lawful power she had (as all the Churches of Christ have, or ought to have) of ordering ecclesiastical affairs here."

I think that is a sufficient proof, by analogy, of what we ought to do here, but it seems to me that, with all due deference to the gentlemen who have spoken, we have made an entire confusion of these matters. It is not in reference to Canons and Canon law, as I understand it, but as to mere ritual, and what England thought of that, and what she did. I shall proceed, further, to read to you, for I shall endeavor, as far as possible, to compress into a single space all my reading. I know the aversion that audiences have to books of all kinds, and especially to books of this color—law-calf. [Laughter.]

Gentlemen, perhaps it would be better if we were hastily to take a review known to all of you, of course, but we will all refresh our memories by it to run over hastily, as it were, the incidents connected with the Reformation in England. As you well know, Henry VIII. was a Reformer from no deep conviction. He cared very little for religion. He only wanted it as his accessory when he wanted to put away one wife, behead another, and get rid of the whole concern one by one. [Laughter.] And as far as he was concerned, but for his marital propensities I doubt whether there would have been much reformation for many years in England. But it came, and the result was, not that it was fully established, not that the Popish Church was fully put down, its rites and its ceremonies at least, but there was a simple substitution of Henry VIII. as the head of the Church in place of the Pope. He still retained many of its dogmas, and that the greatest heresy of all, as we consider it, that of the real presence, and, as Macaulay tells us, it frequently happened in Smithfield there were two fires going on at the same time. At one stake was a man burning because he still claimed the supremacy of the Pope, at another because he denied the real presence. After his death, as we know, came the interregnum, as it were, and that weak-minded, vacillating King-boy, or boy-King, Edward VI, came in. We know how the Prayer Book was handled, twice held under consultation by Parliament, and, in fact, he was considered as nothing but the tool of the unscrupulous people who surrounded him. At last it became necessary, such

was the inconsistency between what they really professed and what was the actual state of the ceremony and rites in the kingdom, to establish what was styled the act of uniformity, and from that I propose to read a few sentences:

"The 2 and 3 Edw. 6, c. 1, which is the first Act of Uniformity of Edward VI., begins by reciting that there had been in England divers forms of common prayer; that is to say, the use of Sarum, of York, of Bangor, of Lincoln, and besides the same, now of late, much more divers and sundry forms and fashions have been used in the cathedral and parish churches in England and Wales, as well concerning the matins or morning prayer and the evensong, as also concerning the Holy Communion, commonly called the Mass, with divers and sundry rites and ceremonies concerning the same, and in the administration of the other sacraments of the Church."

Subsequently, another Act of Uniformity, as we know, was passed in the year 1662. And it is to some of the provisions of that act—for, as far as I know, that still remains on the statute book of England—that I now propose to call your attention. It is entitled, "An act for the uniformity of public prayers, and administration of sacraments, and other rites and ceremonies, and for establishing the form of making, ordaining, and consecrating Bishops, priests, and deacons in the Church of England."

"The first section gives the following title to our present Prayer Book: 'The Book of Common Prayer, and administration of the sacraments, and other rites and ceremonies of the Church, according to the use of the Church of England; together with the Psalter, or Psalms of David, pointed as they are to be sung or said in churches; and the form and manner of making, ordaining, and consecrating of Bishops, priests, and deacons.'"

"The second section, after reciting that 'nothing conduceth more to the settling of the peace of the nation, nor to the honor of our religion and the propagation thereof, than a universal agreement in the worship of Almighty God, and to the intent that every person in this realm may certainly know the rule to which he is to conform in public worship and administration of sacraments, and other rites and ceremonies of the Church of England,' enacts, that all ministers 'shall be bound to say and use Morning Prayer, Evening Prayer, and celebration and administration of both sacraments, and all other, the public and common prayer, in such order and form as is mentioned in the book annexed and joined to the present act, intituled the Book of Common Prayer and administration of the sacraments, and other rites and ceremonies of the Church, according to the Church of England.'"

"By the 17th section it is further enacted, 'By the authority aforesaid, that no form or order of common prayers, administration of sacraments, rites, or ceremonies, shall be openly used in any church, chapel, or other public place, or in any college or hall in either of the universities, the colleges of Westminster, Winchester, or Eton, or any of them, other than what is prescribed and appointed to be used in and by the said book.'"

Now it seems to me clearly established by this

that the Book of Common Prayer that has been handed down to us is the one adopted here, and that by no gloss, no reasoning, that will address itself to the common sense of any man can it be said that we are entitled to use any other rites and forms. For two hundred years after the adoption of this Prayer Book, it remained the Prayer Book of England, and of all her colonies. That, as I understand it, with such changes as were necessary, *mutatis mutandis*, as we say, was adopted in this country, and I ask to know what we shall do if we depart from it? Gentlemen tell us something of the common law, but we see that England only sanctioned what was in accordance with her common law, and I think we shall be wise if we refuse to adopt any other.

Gentlemen, I make this prediction—I do not claim to be a prophet or the son of a prophet, but I ask you all to remember it—that if you adopt this part of this Canon which allows the introduction of all these common laws and get yourselves involved and entangled in the meshes of these uses, and Canons from uses, etc., I predict that the Ritualists of this country, if there be such things, will ask no higher authority and no larger license. This gentleman was obliged in fairness and justice as a judge, to give these laws that I have read. I admit that he goes on and attempts to put them away. He is the parent, I may say, of all this talk that we have had about use and Canon law, and all the rest of it, but I put it to your common sense to ask you if there is any authority for departing in the slightest degree from this Prayer Book of ours.

This confusion in reference to rites and ceremonies is not a new thing. It began far back in the sixth century. We are told that, "When Augustine, the missionary of Gregory the Great (to whom this country is so much indebted), found the ancient British Churches in possession of a ritual, in accordance with the Gallican use, and that of the Eastern Church, he became perplexed what course to pursue, and wrote for advice on the subject to the Pope. From our old historian, Bede, we learn how wise an answer he received.

Gentlemen, I must confess that the answer is in Latin, and I will give it to you to the best of my ability. I am only sorry that I have not the learned deputy from Wisconsin by my side to aid me.

"Gregory answers to him. You tell me that there are many divers customs and different plans used from those of the Holy Roman Church and in the Gallican Churches. Now I answer that you know very well the custom of your fraternity which has nurtured you, but it appears to me that whether in Rome, the Roman, or in the Gallic Churches, or in whatever Church you have found anything that will be pleasing to Almighty God, you should adopt it, and in the English Church whatever is new take it and bring it back to us. A thing is not good for the place it is found in, but places are to be loved for the good things that they afford thereof."

And here is the point of it:

"No matter in what churches you find whatever

is pious, or religious, or right; take it up, bind it as in a bundle, and endeavor to impress it upon the English mind."

And that, gentlemen, is just about what our friends, the Ritualists, would do if we allowed them to go searching back in all these musty records. But I very willingly quit this matter of reading. I am not accustomed to it. I am no lawyer. I only read as in duty bound what I thought bore on the question. I prefer now to speak to you face to face.

It seems to me, according to what the reverend deputy from New York told us, that we have already a good plan, for did he not say that, whether we passed the Canon or not, the Bishop would still have authority, and by the way, my friends, I do not want to say anything unkind, but it does appear to me that if any intelligent stranger, that artistic New Zealander, for instance, whom Macaulay supposes, had suddenly been brought into one of our galleries with some little knowledge of ecclesiastical polity, he would either have thought that this was a Presbyterian Church or that Episcopacy meant that form of Church government where presbyters and priests are constituted as superior to diocesan Bishops. [Laughter.]

Mr. President, in reference to the matter of the authority of the Bishops, I must confess that I was at first very much affected by that imaginary case which the reverend deputy from New York supposed, of a difference of opinion between himself and his Bishop. The awful difficulty he foreshadowed and the weary time he must wait for his reward, but presently I rallied, I felt that there was not so much trouble after all. I felt that he was just nursing a little pet despair, what Byron would call the "nympholepsy of a fond despair." It was a sort of pleasant vicarious agony that he was undergoing [laughter], and was just imagining to himself how he would feel if he should differ from his Bishop. [Laughter.] Gentlemen, he had no idea of becoming a martyr. He did not mean to inaugurate the *auto de fe* and be the central ornament of a bonfire in Central Paris. [Laughter.] I felt that if the pressure ever did come I might say that he would be as clay in the hands of the potter. [Laughter.]

Gentlemen, I believe that this matter is of very easy solution. It is not worth while for us to try to do anything with the extreme men, these Ritualists that we read of, and hear of and never see, for they will always serve us like that logical Ritualist, as I suppose we may call him, who was in the city of Boulogne. For some reason or other, the Common Council of that town determined that every man who went out at night should have a lantern in his hand. One man was taken up on the charge that he had no lantern, but it was discovered that he had one but there was no candle in it. They then went to work and passed another ordinance that no man should go into the street without a lantern with a candle in it. The next night he was taken up and still he had the lantern and the candle. So they had to go to work

the next day and pass a third Canon, as I suppose you could call it (laughter) that no man should be found in the street without a lantern with a lighted candle in it. Whether he found any old ordinance of Canon or use afterwards, deponent saith not; (laughter) but that, gentlemen, will be exactly the way in which these extreme men will try you. No matter what you do they will find some fresh device; and that is the reason I do not want you to bind yourselves down to any specific system, and especially not to open the doors to foreign and fresh confusion. I am sorry that my venerable friend from Connecticut has thought proper to define his position, as it were. Prudence, a great man has told us, is always very cautious how she defines herself; her lines ought to never be mathematical. You might bind them fast as you supposed, but it would be unavailing. You think you would get rid of them all, and still they would hunt in the crevices, or the crypts, or the attics, or some old Cathedral like Chatterton, where they would find some old manuscript or missal that would justify them in this new style. Why, there is no end to the illustrations of those new forms of dress. You heard how trippingly and lovingly the eloquent delegate from Wisconsin read over that list the other day, for all the world like a young lady reading the latest fashions. [Laughter.] He assured us he was no Ritualist, and but for that, I should have supposed that he had seen in fancy, or rather, let us say, in a beatific vision, that the day was not far distant when he might astonish the good people of Racine with his whole paraphernalia, night-cap, knee breeches, colored stockings, and all. [Laughter.] For fear he should seem to think this serious (as Sidney Smith said of the Scotchman, that it needed a trepanning of the skull to get in a witticism), I will let him know that that is a joke.

Gentlemen, there is no real difference among the serious men of this Church. As we say in common parlance, it is all right with us. High Churchman or Low Churchman, I am happy to believe that the Articles and all the customs of our Church are elastic enough without dispensing with any essentials.

We can get along with them, but as for these other gentlemen, it will be best for us not to galvanize them by persecution. I mean those gentlemen who have passed the Rubicon of the rubrics [laughter], the gentlemen who drill in their devotions, who pray by platoons, who raise the paten instead of "lifting up their hearts," who trample on the second Commandment, and give to wood and stone that adoration which is only due to the King of Kings and Lord of Lords.

These gentlemen we can never affiliate with. We had better pass them by as far as special action is concerned. "Ephriam is joined to his idols, let him alone." I wish them well, and I fondly believe that if they are let alone they will gently pass away like one of their own sweet recessional hymns, and have a delightful *euthanasia*, perhaps a glorious *canonization*.

Gentlemen, in speaking to you on this proposition, I am committing an error, perhaps I am speaking on a point that I have no right to speak upon, for with us in Virginia, Ritualism is utterly impossible. It is not alone that we have not the money for all this gorgeous ceremonial, but until memory be dead we cannot do it. We remember that beloved Bishop of ours, the venerable Moore, to meet whom even in the street was a benediction. We remember our Apostolic Meale, and we think that if there were any attempt, even at Ritualism in our churches, their shades would appear at the sacred desk and simply say, Avaunt. We have not these gorgeous celebrations, but we are not utterly careless in reference to decent ceremonials. We try to keep that middle path between superstition on the one side and slovenness on the other. We are fond of music, too. The gentleman from Alabama supposed that we were not. He talked touchingly of the way in which he was lifted up to heaven on the wings of music, and if, gentlemen, I had his fine æsthetical taste, and his still finer voice, if I could be, as it were, one of the wings myself, perhaps I should be as devoted as he to music. In our plain way we sing hymns and psalms and spiritual songs. But,

"We chant our natural lays in simple guise,
We tune our hearts, by far the nobler aim
Perhaps 'Dundee's' wild, warbling notes arise,
Or plaintive 'Martyrs,' worthy of the name.

• • • • •
Compared with these Italian trills are tame,
Nae unison hae they with our Creator's praise."

But, gentlemen, I have said enough. I simply wish to express my convictions here to night and to give as far as possible a reason for the faith that is in me—reverting for a moment to the subject with which I commenced—I have said that I did not agree with the decision of Sir R. Phillimore, but I do agree with it in one respect. In a few of the closing lines the learned Judge says that there is room enough in this Church of ours, if the parties that brought this suit would cease their litigation, and I say too that there is room enough here in our beloved Church for all who are earnest, not only for those who are consistent by their simple faith and who, sustained by a fervent piety, need no accessories of worship, but room also for those who think with Burke that religion should be celebrated in noble buildings, and with lofty music, with modest splendor, and unassuming state, with mild majesty and sober pomp. He tells us, and tells us truly, that in the earlier ages St. Chrysostom and St. Augustine represented different schools of religious thought; and yet the Primitive Church held them both. In after years Bishop Taylor and Archbishop Leighton though they were divided on the subject of ceremonial observances yet prayed in all sincerity together for the good estate of the same Catholic Church. They held the faith in unity of spirit in the bond of peace and in the

righteousness of life, and yet one Church held them both. And so it will be here gentlemen if we cast aside all the inferior points which do, but ought not to divide us. We should recollect the age that we live in. We should recollect all the activities that abroad. We should recollect how the great West is spreading before us in almost Asiatic boundlessness; and how from every quarter of it is sounding the Macedonian cry of "Come over and help us."

And shall we be wasting our time here in discussing these matters of idle ceremonies? Shall we be talking about what vestments we shall wear in honor of Him when His true followers cast all their vestments before Him! shall we be discussing whether we shall mingle water with wine when we recollect that at the marriage feast he turned all water into wine? shall we be sending out missions to various parts of foreign countries, enabling the savage even, when he shall have learned to read, to come back upon us with terrible satire—for when he shall reach the line that the Holy Book is for the "healing of the nations" shall be able to ask us has it healed yourselves? If gentlemen will pardon me, I will say, averse as I am from even an allusion which might be considered as political, that we must all feel that if this country is ever to be healed it must be by the influence of the Church. Neither legislation nor bayonets will ever do it.

And now, gentlemen, in conclusion I can only say to you from the bottom of my heart that I have not said one word to-night in any bitterness of spirit. If I could concentrate all that I feel into one burning word, that word would not be, as the poet makes it, "lighting," but love! I would like to gather all together so that we might commence our great march, and enable our Church to fulfil her true mission. It has been, and with some truth, said of us that we have kept too much apart from the world, we have not sufficiently recollected that if the Gospel of Christ has any distinguishing feature it is that is the Gospel of the poor. We ought to invite them, and, when we talk of "prudence," we ought to recollect sometimes that there are forlorn hopes when there is something better than prudence, and that is daring; yea, even sometimes to recklessness, when the mightiest of all causes is in peril, or is to be promoted.

And now as a parting word let me say, gentlemen, that whatever may have been our shortcomings in the past, let us waste no more precious time—let us endeavor to put our Church in sympathy and connection with all forms of society, with all conditions of men—and this we can only accomplish, and best perform our duty, by a persistent purpose so to act that

"Her fair form shall stand and shine,
Make bright our days, and light our dreams;
Turning to scorn with lips Divine,
The falsehood of extremes."

The Rev. Dr. JACKSON, of Connecticut. Mr. President and gentlemen of the Convention, I rise to offer the following substitute—

The PRESIDENT. It would not be in order now. You can read it as a proposition that you propose to offer.

The Rev. Dr. JACKSON, of Connecticut. Then I will read it as what I propose to offer, and I believe it will be accepted by my friend, the deputy, from New York [the Rev. Dr. Cady]:

Resolved (the House of Bishops concurring,) That a Joint Committee, consisting of five Bishops, five Presbyters, and five laymen be appointed, to sit during the recess of this Convention, in order to ascertain and determine clearly, what is the existing law of Ritual in this Church, and then to inquire whether any, and if any, what further provision is required for securing the due performance of Divine Service, and report the same to the next General Convention for its action thereon.

Several Deputies seconded the resolution.

The PRESIDENT. It cannot be offered now. There is a motion for indefinite postponement before it, which must be disposed of.

Mr. CARTER, of Maryland. If I am allowed to do so, I will withdraw my motion for indefinite postponement.

The Rev. Dr. CADY, of New York. I will accept that proposition in lieu of my amendment.

The Rev. Dr. MEAD, of Connecticut. I hope the House will not permit the motion for indefinite postponement to be withdrawn. We have debated it for some time, and it is important that the question should be taken on that first. If the gentleman is willing to have the question taken now on that motion without any further speaking, I have no objection.

The Rev. Dr. JACKSON, of Connecticut. I am very willing to give way to have the question taken on that motion.

Mr. CARTER, of Maryland. Then I do not withdraw the motion. If the motion can be withdrawn, and let the motion of the reverend deputy from Connecticut be offered, I am perfectly willing to withdraw it; but if gentlemen do not wish the motion withdrawn, but want it voted upon before we have been heard to-day at all in support of it, I will not withdraw it. I repeat I will withdraw it to enable the reverend deputy from Connecticut to offer that resolution. It is in the discretion of this House. I ask leave now to withdraw it.

The Rev. Dr. CADY, of New York. I move that leave be granted.

The Rev. Dr. PADDOCK, of Long Island. I want to know if it is understood that any bargain of this sort made between two gentlemen binds the House.

The Rev. Dr. RICHEY, of Minnesota. I call the gentleman to order.

The PRESIDENT. That is hardly in order.

The Rev. Dr. PADDOCK, of Long Island. I will change my language and ask the Chair to explain what is the force of the withdrawal of the motion for indefinite postponement under the understanding with another gentleman that the House shall then proceed to another motion.

The PRESIDENT. The Chair has nothing to do with any understanding in the matter. The House will either grant or refuse leave to withdraw the motion for indefinite postponement. If the House grants the leave, then the question remains where it was before, open to amendment, or to any other motion which is proper in the premises.

The House, on a division, granted leave to withdraw the motion for indefinite postponement.

The Rev. Dr. JACKSON, of Connecticut. I now offer my amendment, which the reverend deputy from New York accepts in place of his:

Resolved (the House of Bishops concurring), That a Joint Committee consisting of five Bishops, five presbyters, and five laymen, be appointed to sit during the recess of this Convention in order to ascertain and determine clearly what is the existing law of Ritual in this Church, and then to inquire whether any, and if any what, further provision is required for securing the due performance of Divine service, and report the same to the next General Convention for its action thereon.

The Rev. Dr. McNAMARA, of Nebraska. I inquire whether such a proposition as that is in order. A Canon is under debate reported from the Committee on Canons and from the House of Bishops, and this is a resolution appointing a Committee of Conference to sit until the next General Convention.

The Rev. Dr. JACKSON, of Connecticut. I offer this as a substitute for the whole.

The Rev. Dr. PADDOCK, of Long Island. I desire to understand, and those of us who are not quick of comprehension must be allowed to gain comprehension before we vote, whether that substitute if passed by this House sweeps the whole matter which has been under consideration during the last three days out of the House.

The PRESIDENT. There is a report from the Joint Committee before us, and then an amendment offered by the gentleman from Connecticut the Chairman of the Committee [The Rev. Dr. Mead], and this amendment comes in as an amendment to that, and if adopted will take the place of the whole matter that is before us.

Mr. McCRADY, of South Carolina. Let me suggest a way to get out of this difficulty. You have got before you the report of the Committee of Conference which, as far as I understand, it is not regular that you should amend at all. If you were to lay that report on the table and then take up the message from the House of Bishops sent to us to day, you could substitute anything else you pleased for it, because you observe the message sent by the House of Bishops is not what the Committee reported; it is something else, slightly altered. That is enough for us. It comes to us as a message. You may refuse to concur with that and send this amendment back to them as our message.

The PRESIDENT. This is the report of an original Joint Committee, not a Committee of Conference. A Committee of Conference is appointed on a disagreement between the Houses.

The Rev. Mr. EGAR, of Pittsburgh. If this amendment is adopted, will it sweep out of this House, to use an expression which has already been used, the message of the House of Bishops also?

The PRESIDENT. No, sir, that will come up again. We are obliged to act upon that in some way.

The Rev. Dr. JACKSON, of Connecticut. Mr. President, I am not going to detain you or this House with any lengthened speech, but I have very serious objections to the report of the Joint Committee. I need not go over the points in relation to the Canon law of England to show how far it is applicable to our circumstances in this country, nor how far it is binding. I am not clear on that subject, and I do not think any member of this House can presume to say that he is perfectly clear upon it. Have gentlemen examined the old records of the Church in Virginia to know how far those Canons were practically recognized? It is a subject of very large range, and I am sure that it has not yet been fully investigated, and that we are not prepared to affirm anything definite, and clear, and precise on that subject. I say, then, that we must not take a leap in the dark.

In the next place, in regard to the concluding part of this report, it contemplates law which is made by the judgment of the Bishops. I have all respect for the authority of the Bishops, I would not say one word to disparage the high reverence and esteem in which that authority is held, but we live in an age of law, the age of personal government has gone by. I use this in no disrespectful way, but the laws under which the presbyters and the laity live they should have a share in enacting, in analogy with the laws of the Church of England.

What are those decisions which have been referred to here to-night, and which have created such a stir and agitation in the mother country? Are they not based upon law? and is that law not supposed to have been enacted by the concurrence of the clergy and the laity in Parliament assembled? Are not the laws of the Church of England those enacted by the concurrent voice of Bishops, presbyters, and laity? Are we going to establish a new method? Are we going to depart from the analogy of the Church of England in this matter?

Under the Roman Empire a very large part of the law was created by rescripts. Difficulties arose, not in parishes, but in governments, in provinces, and the authorities, the governors or parties who had complaints, sent them up to the Roman Emperor, and he wrote back his reply deciding those questions, and those replies, as every lawyer knows constitute a very large part of the Roman law. Are we going to create law in that way? Does that suit the genius of these times? No; I say not; and I know that it is felt by a very large number of the clergy and of the laity present on this floor, that they do not wish to have law made in that way. I will not dwell longer on this topic.

After all, I believe very much in the story recited

in your hearing to-night. of the authorities of the city of Boulogne. I believe it is very difficult to regulate these things by law; and yet I came to this Convention desiring to see these things regulated by law. Why, then, do we not pass the law? Simply because we are not clear; we have not arrived at anything precise and definite on this point; we do not know what law to enact. In the first place, we do not know what is the present state of our Canon law. I mentioned this subject the other night to one of the most learned of our Bishops, and he said to me, "Our Canon law, our law of ritual, is in the utmost confusion." Is that so? I would hardly put the matter so strongly as to say that it was in the utmost confusion, but one thing I will say, that I do not believe there is a man in the American Church who could sit down to-day and write out distinctly and clearly what our law of ritual is. I do not believe there is one man, no matter how learned he may be, who is capable of doing this. Are we then going to enact new laws when we do not know what the present law is clearly and distinctly? Are we going to supplement it when we do not know what is required?

This is the reason why I have been reluctantly brought to the conclusion that this Convention ought not to take any affirmative and positive and definite action, but should wait and appoint learned men to consider the subject. The resolution which I have read does not contemplate choosing the members of this Convention, so far as our House is concerned, but the language is "presbyters." Look throughout the wide range of the Church; get the most learned and the most capable, look throughout the range of our laity, and I am proud of such a laity as we possess, not only from the display of learning and intellectual power and loyal devotion to the Church which we witness here, but from what I know of their character and intelligence and learning throughout the broad extent of our Church—get, then, I say, a joint committee of the most learned men in both Houses and let them patiently and diligently inquire during the next three years and determine, in the first place, what is the existing law of ritual in our Church, and then, in the next place, having determined this, ascertain what further provision, by Canon or otherwise, is requisite to secure the due performance of Divine service. I say this is the only tangible, firm ground on which we can stand to-day. We are not prepared to advance beyond this.

But what is the support of law? There is no use in enacting laws, unless you have moral force beneath to uphold them, to sustain them. There is no use in enacting laws against Ritualists, unless public opinion is with you. Let us look at this for one moment. It has not been touched upon in this House, and I deem it very important. I have no doubt that three fourths, or a larger proportion of this House agree in sentiment with me on this important subject. They regard this matter as a very great evil, an evil that requires to be remedied; but how are you to remedy it? By Canons? By legislation? No; you are to remedy it by informing the mind of the Church.

When I go into the leading book-stores of New

York, I find on their shelves all the leading publications of the Ritualists in England. They are put out prominently. I meet with them all over the country. The Ritualists are reformers. They are earnest; they are active; they are spreading their opinions by speech, by printing, and by writing everywhere.

What are we doing? Nothing at all. Have we no power to mould public opinion? I say we have. Have we used the press to correct these errors? Have we used it as we might use it and as we ought to use it? Have we exerted the whole force of our personal influence in the different spheres in which we live? I believe we can do an immense amount of good in this direction; we can exert a vast influence to counteract Ritualism.

Then I say that our duty is to manufacture public opinion. Let us manufacture a public opinion which will put down Ritualism. You cannot put it down in any other way. Mere laws will not do it. Let us look at this thing fairly and squarely, and we shall see that we have the matter in our own hands. "Truth is mighty and will prevail." If we exert our whole power through the pulpit, through the press, through private and personal influence, clergymen in their parishes everywhere propagating the Divine truth, I believe it will prevail, and Ritualism will wane, will go down. I say, therefore, the highest and weightiest duty that rests upon this Convention to-day is to mould public opinion, to create a public spirit which shall be against Ritualism, and which, hereafter, when that public opinion is properly moulded, when it is properly strengthened, will uphold your legislation and make it effective; and without that, your legislation is of no avail whatever.

There has been much said here about the activity of the extreme Ritualists amongst the poor. I will not add anything to what my friend from Long Island (the Rev. Dr. Paddock) so eloquently said in your hearing to-day, but I know that there are hundreds of other earnest and devoted clergymen in all parts of the country laboring amongst the poor, and no mortal arithmetic can tell what good they are doing, what souls they are training for heaven; and yet you never hear of them. They work silently; they work under the eye of the Divine Master; they do not find any need of the methods of extreme Ritualism in order to convey the Gospel of salvation to the poor to whom they preach.

To pass beyond our Communion, let me speak to you for one moment of the Methodists. How have they won such a mighty empire in this Western world? Is it by ritualism? Oh, no; it is by earnest preaching of the Gospel of Christ; it is by the Divine power of song, congregational singing, fusing heart so as to beat in sympathy with heart—by the power of their hymns and by their earnest preaching of the Gospel of Jesus Christ. If such an empire can be conquered by the Methodists, do we need ritualism to win the poor to our standard? No.

And yet I do not wish to be misunderstood here. I know that a decent and comely ritual is a very desirable thing for our Church, and I wish we had more of it. The only thing in ritualism to which I specially and sternly object is, in the first place,

the propagation of the idea of an enforced confessional, of auricular confession, which you well know is one of the ideas which the extreme ritualists are very industriously propagating. I do not object to the intimate spiritual intercourse between pastor and people. I would not object if our Church had not seen fit to strike it out of the preface to the Communion service, to occasional confession to the priest. I would not even object to his giving absolution. I think it might be a suitable remedy for diseased souls sometimes; but for a perpetual regimen, for the daily and monthly habit of Christian life, for its effect on society, I say that the confessional is an anachronism in our time, and he who would try to revive it understands not his age. But we have not that before us. I merely mention that in passing.

Then there is one other tendency in ritualism which seems to me very objectionable, and that is the tendency to exceeding reverence of the Virgin Mary; I had almost said a *cultus*. Whilst we read about the movement in Germany which tends to moderate that sentiment of reverence and call men away from worshipping a creature, here is, in this extreme ritualism, a dangerous tendency in regard to the Blessed Virgin, whom we all honor with every sentiment of love and veneration as a human being, yet not to be prayed to or be asked to intercede for us. I say I consider the tendency of ritualism in this direction one of the most dangerous.

Then, again, as regards the Holy Communion, I disagree very much with the sentiment of my reverend brother from Massachusetts to-day. I believe that in the Holy Eucharist we do verily and indeed receive Christ spiritually, and I thank God that, no matter what the theory may be which a man maintains—

The Rev. Dr. VINTON, of Massachusetts. If the reverend gentleman will allow me to interrupt him, I said no such thing.

The Rev. Dr. JACKSON, of Connecticut. I understood the gentleman to say so.

The Rev. Dr. VINTON, of Massachusetts. That I said that there was no spiritual presence of Christ in the sacrament? Never; never!

The PRESIDENT. I think, Dr. Jackson, that you misunderstood Dr. Vinton.

The Rev. Dr. JACKSON, of Connecticut. I stand corrected, and I am rejoiced to stand corrected.

The Rev. Dr. VINTON, of Massachusetts. If you will allow me one moment I will tell you what I did say: that no presence of Christ whatsoever was incorporated with those elements.

The Rev. Dr. JACKSON, of Connecticut. Very well. What I was going to say was that I thank God that whatever views a man may hold in regard to the Sacrament, if it is administered according to Christ's appointment, he receives the benefit of that Sacrament, be the benefit more or less. No matter what that benefit may be, it flows to him. If it is the incorporation of himself with Christ, so that he may dwell in Christ and Christ in him, if it is the forgiveness of all his sins and the cleansing of him from the defilement of them, he has that. If it is the inward strengthening of his spiritual life, if it is the consigning of him, soul and body, to everlasting life, he has that. No matter what the theory of the individual may be in regard to the Blessed Sacrament (and I know there are widely different theories in our Communion), I

would denounce no man, I would condemn no man. I do not know that there is any man in our communion who holds clearly and distinctly the doctrine of Transubstantiation. I believe there is not. I think that those who are referred to hold to a spiritual presence of Christ in the Sacrament; but when they limit it and confine and include it under the elements, they are treading, as I think, on dangerous ground. I would leave it a mystery undefined, as it always was until the Romish theologians, using the philosophy of the Middle Ages, presumed to define the mode of Christ's presence under that form, which is called Transubstantiation.

How far these things can be regulated and controlled by law, by Canon, I know not; but I would earnestly desire to see repressed certain things which now exist, certain things which I witnessed with my own eyes not long ago, certain things which it seems to me in the administration of the Holy Communion change it from a spiritual sacrament to a mechanical one; and yet I doubt not that where it is administered with all these motions, crossings, genuflections, prostrations, Christ is received into the heart; I doubt not that even there he quickens the life. I hope there is some mode in which those things can be stayed and repressed. I say again, the most effectual mode to repress them is by informing public opinion, by moulding it, by giving to men the true conception of Christian discipline and Christian life, by giving them the true idea of our relations to the Blessed Virgin and by at the same time teaching them the true doctrine of the Sacrament, and the true and simple and majestic mode of its administration. The greatest results which we can reach we shall reach by means of moulding and informing public opinion; and that, my friends, is our duty. When we go forth from this Convention, and during the next three years whilst all these questions are being investigated, as I propose in this resolution, we have a fair field; we have the press; we have the pulpit; we have all these agencies; and let us bring public opinion up so that it will not tolerate these extravagances; and that, as I think, is the only way in which the evil can be remedied.

I am, therefore, in favor of the resolution that I have offered, and if anything supplemental to it is deemed necessary, it can come in later. I desire to say here, that whilst I differ widely from many gentlemen on this floor, I have felt since I have been in this Convention the bonds of charity drawing me toward brethren on the right and on the left. I feel that there is no gulf spreading between me and any member of this Convention. Whilst we entertain widely different opinions on important subjects, we all hold to the Head; we all partake of one Divine life, as I trust we are all obligated, by the most sacred obligations, to labor for one Divine Master; and however matters may be determined now or hereafter, let us hold together as brethren; let us be pitiful; let us be courteous, and not allow any differences of opinion to mar our charity for each other.

The Rev. Mr. MORGAN, of Iowa. I felt this morning that I would very much like to say something on this exceedingly important and interesting question, but we had not proceeded very far with the order of the day before I felt in my very heart that not much more could be said to edification. I had already heard a good deal of repetition, and yet I must say I have been exceedingly thankful, as I believe a large share of the people sitting in this House have been, for the most edifying and noble statements that have been made, expounding the great truths bearing upon

the question before us in this debate; and I refer especially to that most admirable and incomparable address of my very Rev. and learned brother, the deputy from Massachusetts. I felt to-night as I came to this House, especially after the, on many accounts, very agreeable remarks of the learned gentleman from Virginia, that surely we had reached the time when we should begin to do something besides talk; that we had better conclude our talk and act.

But, sir, I confess I am somewhat surprised at the course things seem to be taking at this juncture. I feel conscious, and I believe I speak the sentiments and feelings of the House when I say, that there comes to us from the Church all over this land a look and the stretching out of a desire for something that shall give relief to the Church. This great American community needs not to be informed that for the last few years there has been something that has very essentially impeded the progress of the hitherto united and happy Protestant Episcopal Church. An attempt has been made to ignore the fact that there was anything impeding her progress. Men have said, "Be quiet; hands off; there may be difficulties, but they will adjust themselves." But, sir, it has come to be felt now, I believe almost universally, from one end of this land to the other; that there is something that is very essentially impeding her in her progress. There is an incubus hanging over her. The people outside the pale of the Protestant Episcopal Church have expressed this a thousand times over. The commencement of the Protestant Episcopal Church have said this themselves a thousand times over. The clergy have inquired among themselves "What will be the better way to adjust this matter?" Quietness has been advised. Three years ago the Right Rev. Fathers of the House of Bishops were beseeched by the House of Clergy and Lay Deputies most earnestly, to provide something that should satisfy the wants of the Church in this age, and the wants of the community.

We come now and listen to the voice of our fathers. A voice comes from them; a voice to be sure that had its origin with five Bishops, if you please with a bare majority of the five. It was first echoed in the House of Bishops assembled in this city at its present session, but by the unanimous action of the House of Bishops, if I mistake not, that voice was sent down to the House of Deputies to be echoed here, in which they say:

"It is obvious to remark that there are among great and growing diversities of use, in the performance of Divine Service and the Offices of the Church. Unless something is done, and done soon, in the interests of uniformity, these diversities bid fair to equal, if they do not exceed, those which, at the period of the Anglican Reformation, were regarded as an evil to be removed; and which led to the decision that the whole realm should have 'but one use.'"

Now, I beg gentlemen, to notice this sentence:

"They occasion, moreover, even now, confusion, trouble, and perplexity, among our people; and these evils must increase as their causes are multiplied."

Mr. President, I have felt proud of the learning, the wisdom, and the sobriety that have characterized this branch of the Church Catholic; but I must confess, that feeling is somewhat abated when I am told that after six years of consideration of this subject, we come here unprepared to act upon it, first, because we do not exactly know what is demanded, and, again, that we are lacking in the moral influences that ought to lie behind in order to give *prestige* and effect to any

action that may be taken by this Convention. We are then admonished that probably the better way to dispose of this matter, will be to appoint learned, wise, sober, influential gentlemen to take the subject under consideration for three years more, and then report to us with reference to the state of our Canon law, and in the same breath we are told that no Canon law can possibly meet the exigencies which are before us; that nothing but the manufacture of public opinion will do it.

Mr President, I feel bound not to protract my remarks to a great length, but I cannot answer the demands of my conscience, without saying that for the necessities of these times, to meet the demands of, shall I say our constituents, I may say of the Church at large, to meet the demands of the intelligent American community, to meet the demands of the House of Bishops, it seems to me, we must take some action in reference to this subject.

The question then arises, what shall be done? Shall we compromise the matter? I am sure we are all ready to say that we shall not compromise with error. If we are to accept what has been said, there may be no Ritualists on this floor; but taking it for granted that there are such persons in existence, that there is a great alarm in this branch of the Church-Catholic, that her peace is disturbed, that the Bishops are right in saying to us that distractions are being engendered, it seems to me only the part of Christian manliness that we should, in our capacity as representatives of the Church from the Atlantic to the Pacific, in obedience to the call of our right reverend fathers speak, speak intelligibly, speak emphatically; may I not say, beloved brethren, speak unitedly.

There are more of us here who are willing to say that we can compromise what we believe to be truth, but so far as the mere externals and ceremonies of the Church are concerned, I feel assured that the larger part of these Christian brethren are ready to do anything that shall conduce most effectually to the peace and prosperity of the Church of God, not by smothering a great want, not by ignoring great and alarming facts, but by holding our hearts in the clear, bright sunshine of Catholic truth, feeling as representatives of this branch of the Church Catholic, that we have our hearts warmed by the spirit of the one Lord whose faith we profess, feeling that we are members one of another, that we have no party or sectional or selfish interest to subserve, but only the interest of the Church of the living God all over this land. Let us determine that we will so act, that we will so speak, I had almost said, if it shall take us from now until Christmas. I am sure, though our flocks are needing our attention so much, those of us who are pastors of flocks, there is no work so important on our hands as to determine as far as possible in a clear, intelligible and satisfactory way, or as satisfactory a way as may be possible, the great question that is before this House at the present time.

How shall we do it? By mutually agreeing that we will look at this subject in every aspect, that we will bear and forbear, that we will listen to every suggestion that may be made logically or consistently in the hearing of this body, weighing all the facts, all the needs, all the suggestions, and then, as the result, like a company of Christian brothers, give our judgment and agree before God that we will abide by this utterance of the Church, that this will satisfy us, that this will reach the wants of our people. If it be desired that I shall put on, as I saw was suggested by one provision that came before this House, a white stole,

I am sure I will pledge this body to return to my flock and most readily use a white stole or no stole. I shall be most happy to signify my allegiance to this Church; but let her, in the spirit of Christian manliness, speak to me and to my flock and to those alarmed, terrified religious communities scattered from the Atlantic to the Pacific, and not shirk, not ignore, not pass by, this great call which comes to us from the community at large, and which comes to us now as the utterance of our Fathers of the House of Bishops.

Brethren, I feel that the time has come for us to speak, and I hope in God we will not let this subject pass now and say we need three years more to consider it. We have had six years, during which this subject has been agitated from one end of the land to the other. It has been before the community and before this General Convention. For us now to turn a deaf ear, and say we had better let it go by and ignore it, I repeat, does not impress me as being the part of Christian manliness. Do not let us do it. Let us act for God, for His Church, and for this great community.

I regretted exceedingly to-night when I heard a resolution pass this House limiting us hereafter to five minutes in any address that may be made. A great question has been mooted here to-night with reference to the Episcopate. Other questions of immense interest stand before this House; questions which, it seems to me, if we should go away and leave unsettled, would almost provoke the very stones of our streets to cry out in rebuke against us. And yet, shall we do all this, and then pass this question by as a matter which we are unprepared to act upon? Shall we say that the deputies composing this Convention are not sufficiently learned or informed upon it to know what to do or how to do it? If we must have something that is merely tentative, let us have it, but let it be something upon which we shall unite as a body, with a Catholic, loyal, Christian, brotherly spirit for the sake of Christ and His Church.

Mr. Carter, of Maryland, obtained the floor.

The Rev. Mr. HOLDEN, of Kansas. I move an adjournment with a view of allowing the members to attend the reception of the Bishop of Maryland.

Mr. CARTER, of Maryland. If the House is desirous to adjourn, I am willing.

The Rev. Dr. PADDOCK, of Long Island. I should like to suggest to the gentleman from Maryland, if he will give his consent, as he holds the floor, to allow us to adjourn that we may attend the reception that the Bishop of Maryland gives to the Bishops this evening in his house. ["No, no."] I only suggest it, not as a matter of any importance, but as a question of courtesy to the Bishop of Maryland.

Mr. CARTER, of Maryland. It is a matter of perfect indifference to me, individually, whether I go on now or to-morrow. I understand the invitation has been extended to us to attend the reception to night, of the Bishop of Maryland, and in order to test the sense of the House I will make the motion, if it is desired, to adjourn.

The motion was not agreed to.

Mr. CARTER, of Maryland. Mr. President, I am not going to speak at length on this question, and yet I am going to speak to the point somewhat fully. I shall not attempt before this audience to

do what we may call cover the whole ground. That would consume more time than any one gentleman has a right to occupy of the time of this Convention.

When I made the motion for indefinite postponement, the other day, it was not with a view to prevent at the proper time, legislation upon the subject-matter of the Ritual of our Church. That motion was simply equivalent to a motion that, so far as this present Convention was concerned, it would not, and could not, consider the matter to a definite conclusion. I am as much in favor as any gentleman here of making the Ritual of the Church in America, the subject of law. I believe that when temperately discussed and temperately considered, it is a subject on which the voice of the Church should be embodied in written law. But when we had presented to us all kinds or different schemes of law, or to use the language of the Deputy from Virginia (Mr. Sheffey), this morning, all kinds of projects of law, of which, as he said, he did not know which one to select,—when we had all those projects before us, some of them introduced after the Committee had matured and considered the subject. I was not, and am not now, willing that at this session this Convention should embody in Canon law the Ritual which we must presume, if we do embody it, as to stand time out of mind as the Ritual of this Church. If we have thus far, without any other Ritual law than that which now exists, prospered as a Church as we have prospered, is it not infinitely better that we should defer action until we can so maturely consider Ritual law that when we have once embodied it, it will not either be the subject of ridicule or the subject of change in the future. If we are now for the first time to embody and make a code of ritual, should not that code be so maturely considered that all of us may say, whatever differences of opinion we may have upon these questions, the code intelligently disposes of and deals with the whole subject.

I have detained the Convention thus long upon this point to set myself right, because I did not want them to suppose, as the learned clerical deputy from Long Island seemed to suppose this morning, that I was any less ready to meet this question, and meet it by law, than was himself or any other member of this Convention.

Mr. President, I undertook, in all humility, to do what the humblest member of this Convention could do if he had attended to the subject. I think it is capable of demonstration, that if the report of this committee were adopted as it came from the committee, when we had adopted it and it had gone forth to the criticism of the Church, we should hide our faces in shame, that in the confusion and excitement of this question, we had put forth as the code of ritual that which this Canon puts forth.

What does the Canon say? It is most expressive to this point: it affirms that within the compass of that Canon is embodied all the ritual law of the American Church; and after that Canon was passed, if the Bishops who came to administer

it, administered any other ritual law than is to be found within the four points of that Canon, they would administer what perhaps would be acceptable to the whole Church, but it would be the administration of that which was not law. To show that I cannot be mistaken on that point—and it is the vital point of the whole argument—allow me to ask the attention of the Convention to the language of the Canon itself:

“§ I. This Church, holding fast its liberty in Christ its Head, recognizes no other law of ritual than such as it shall have itself accepted or provided; meaning thereby in no wise to prejudice or arraign the differing rites, usages, customs, or laws, of other branches of the Church of Christ.

§ II. The provisions for ritual in this Church are:

1. The Book of Common Prayer, with the Offices and Ordinal thereto appended, as adapted to the use of this Church by additions, omissions, or other alterations from time to time constitutionally made.

2. The Canons of the Church of England, in use in the American Provinces before the year 1789, and not subsequently superseded, altered, or repealed by legislation, General or Diocesan, of this Church.

3. The Canonical or other regular legislative or judicial action or decisions of this Church, in its Conventions, General or Diocesan, or by its duly constituted authorities.”

It does not declare that “provisions relating to ritual in the Church are hereby adopted,” but that the “provisions for ritual in this Church are;” that is, the only provisions for ritual, because when this is adopted as the code of ritual, it is the exclusive code of ritual. If, therefore, it be true that this Canon when adopted will leave out of enactment many usages and rites and ceremonies that are now every day used in our churches, it follows, of necessity, that this Canon which thus leaves them out must be defective as a codification of the law of ritual.

As that is going to be the ground of my whole argument, I will restate it. I say that this Canon, when adopted, like the adoption of a code of state civil law, says, “That is the law.” Anything else appertaining to ritual is not in force in the American Church. Now what would be the state of the case after this Canon was adopted? I am not going to discuss the question whether the Canons of the Church of England *proprio vigore*, came into operation when the Church was planted into these colonies, and that when the colonies became states after the Revolution and the Declaration of Independence, the Canons of the Church of England remained the Canons of our Church except so far as our Church changed them or made inconsistent ones. For the sake of the argument I propose to grant that it is so, that the English Canons that were applicable to our condition became in the Church in the American Provinces, without any legislation of our Church at all. Now what would be the English Canons in force? I

am not at this particular point going to say anything about what the Canons of 1603 provide for at all; but my proposition is, that nobody pretends, or can upon examination, pretend, that the Canons of 1603, or any other Canons that we have in this Church, profess, pretend, or claim to deal with the whole subject of ritual.

Why, Mr. President, have we ever thought by what authority the cross stands, I was about to say in every one of our churches? It is not in every one, unfortunately, although the cross was carried in the recent grand procession of the Masons in the city of Baltimore—an organization which I will not say is founded upon opposition to Rome, but which has never been supposed by anybody to have any leaning toward Rome. At the front of every platoon as they marched by the mile through these streets was the cross on their banners. Not only that, but they marched with beautiful precision in the form of a cross. Time out of mind, I suppose, at least out of my mind, we have had crosses in our churches. Even our Baptist brethren have come to it, for one of their beautiful churches in this city caps its smallest spire with a cross. By what Canon is it that we put crosses in our churches? Any? Not so. It is the usage of the church, not the use of the Church in our American provinces. If there were any people who could have been brought down from that day to this to testify what was in use in the American provinces, I do not know that we should be able to prove that many crosses had been seen in the churches in the American provinces. But I do not suppose it is desired to remove out of all our churches now the cross.

Mr. WHITTLE, of Georgia. Allow me to ask the gentleman a question. [No. No.]

The PRESIDENT. I think we have adopted the rule of conducting this debate without interruption.

Mr. WHITTLE, of Georgia. That rule has been violated in favor of every one except myself, and I now insist on being allowed the same privilege as others.

Mr. CARTER, of Maryland. I am willing to yield for a question.

Mr. WHITTLE, of Georgia. The gentleman's argument, I think, is not legitimate upon the premises as laid down. The preamble which he has read says that the law of ritual of this Church is two fold that which it has itself accepted and that which it has provided. In their definition here they are speaking only of the provisions of the ritual of this Church, only one of the alternatives, leaving out entirely that which has been accepted, like the common law or the Canons of the British Church.

Mr. CARTER, of Maryland. That is hardly a question. It is rather a reply. I cannot go back to that argument.

I say, by what authority is the cross here? By no Canon.

Again, by what authority, Christmas after Christmas, are our churches dressed in the beautiful

green that adorns them? Canon? Where is it to be found? By what Canon is it, that when the offerings of the congregation are placed upon the Communion table, or the altar, as you choose to call it, the congregation in some of our churches rise? Is that ritualism? What Canon authorizes it? What Canon authorizes, at the conclusion of the sermon, the priest to ascribe praise, and in some of our congregations, the congregation to rise? What Canon, in a word, authorizes many of the rites and ceremonies that now exist in our Church? And yet if you pass this Canon as it stands now, you provide that all of the law of ritual is embraced either in the Prayer Book, in our own Canons, or in the Canon of the Church of England in use in the American Provinces prior to 1789.

The ground upon which this Canon is advocated by its friends, is, that it is to wipe out these usages which are being brought into the Church by the Ritualists contrary to the wish and the spirit, as they say, of the Church. The very object of making a Canon which will be the sole law of Ritual, is to keep out all of these other practices; and now we ascertain that a large number of those rites and ceremonies which are dear to all, I suppose, without their being supposed to be tainted with Ritualism, and but a few of which I have mentioned, rest not upon our Canons, not upon the Canons of the Church of England, not upon any rubric of the Prayer Book, but rest upon that well recognized immutable foundation—the usages of the Church. Well, then, if you pass this Canon which says that the Bishop, when he comes to administer the law of Ritual, shall look alone to that written law, you say to him that anything else but that written law is his guide, and if he allows the Christmas dressing, or if he allows the cross, he allows it because he believes that it would be contrary to the spirit of all of us to disallow it, but he does not allow it by virtue of any authority given to him in this Canon to allow it, and you would compel him to order those greens down and that cross down, if a rector or a vestry should ask to have it done.

Mr. President, do not misunderstand me. I do not mean to say that if this Canon is going to be passed, a single cross will come down, nor that a single prohibition of the dressing of a church will be made. Why not? Because the whole Church would rise in arms against it. Well, what better proof is it that the Church will rise in arms against the passage of a Canon which would compel the Bishop, if he executed it, to take down that cross and those greens?

Again, what Canon or rubric authorizes the singing of the Psalter in the choral service? A good deal has been said here about there being no Ritualists in this Convention. Within the proper meaning of the word, I am a Ritualist. I am not going to define my belief now on all the points that my reverend brethren did this morning [laughter]; but I believe in what the Preface to the Prayer Book calls "devotional services." I believe in the choral service; not that I mean to say that there

ought not to be anything more than the choral service; but I do not believe that there is one of my brothers here who has heard the choral services in our little Church of St. Luke's in Baltimore—not my church; I do not go there—who would ask that they should be restrained. Certainly none of these amendments propose to restrain them.

What Canon is it that authorizes the singing of those Psalms? None. There is no rubric upon the subject. The rubric does not say whether the Psalter shall be said or sung. It does not even say that it *may* be said or sung.

The Rev. Dr. VINTON, of Massachusetts. It says it shall be read.

Mr. CARTER, of Maryland. I do not think it does.

The Rev. Dr. VINTON, of Massachusetts. It does.

Mr. CARTER, of Maryland. If my brother will look at it, I think he will find that it does not say it shall be read. I speak from recollection, however.

The Rev. Dr. VINTON, of Massachusetts. May I remind the gentleman of "The order how the Psalter shall be read," and then "The order how the rest of the Holy Scripture shall be read"?

Mr. CARTER, of Maryland. Then the Psalter is to be read, and the deputy therefore would argue before the Convention that the singing of the Psalter is unlawful! Now I say, Mr. President, that there is nothing in the Prayer Book, construe it as you will, which prevents the singing of the Psalter; but there is nothing that says you may sing it, and therefore if you pass this Canon it is in the power of the Bishop of any diocese, of his own motion, or on the demand of anybody, to say that you shall not sing the Psalter.

The Rev. Dr. BEARDSLEY, of Connecticut. Allow me to correct the gentleman as to singing the Psalter. There is an implied Rubric which permits the singing of the Psalter in the form of prayer and thanksgiving.

Mr. CARTER, of Maryland. It only shows how my learned brothers of the clergy do differ. [Laughter.] The reverend deputy from Massachusetts replies to me that it must be read; the reverend deputy before me says it may be sung. I am only speaking of these as illustrations. I am not pointing at everything that is not the subject of Canon—that would take me too long—I am only showing you that many things which are done every day in the churches with one universal consent and acclaim are not the subject of Canon and are not traceable to any Canon.

Now, to show that I do not misapprehend the purport of this Canon, that it excludes any other ritual except that which is to be found in the Prayer Book and in the English Canons, listen to the argument of the lay delegate from Ohio (Mr. Andrews), which you will find in your CHURCHMAN, and the excellent arguments of the lay delegate from South Carolina also (Mr. McCrady). The whole point of those arguments was to show you that it was not any usages of the Church which were to be hereafter lawful unless those usages were founded upon and traceable back to a Canon,

and to a Canon of the English Church. To show that I do not misrepresent that side of the case, that this means that you must find for a usage a written Canon of the English Church, let me ask if the reverend deputy from Long Island (Dr. Paddock) did not this morning take pains to show you that you need not be afraid of this large body of English Canons, numbering between 100 and 200 I believe; that you need not be afraid you may be adopting something terrible, because there were only one, two, or three subjects of ritual on which those Canons professed to speak. And he was at pains to show you that even on those subjects, if he be the counsel-general of the Bishops to determine what English Canons were in use in 1789, there were none of those Canons upon the matter of ritual. There was scarcely a single one even of those that were in use in 1789, as he said.

We have no Canons of our own Church enacted by us on the subject of Ritual except the Prayer Book. In point of fact, there were no English Canons on the subject of ritual that were in force in 1789, as we are told. The gentleman told us that one of the English Canons provided that the font should be placed in that part of the church where it was used and accustomed to be placed; but that he said he did not think was in use here in 1789. The place he alluded to, I suppose, was at the entrance of the church. As I understood him, the Canon meant to say that the font should be at the entrance of the church, but the learned deputy was careful to ease some tender conscience for fear that some one might think that that Canon was in force, and some fonts that are not at the doors of the churches would have to be put down at the doors of the churches. That Canon requiring the putting of the font at the door, means that we enter the church, I suppose, through baptism; but that in these days might not be very acceptable to some of our brothers; and, therefore, the reverend deputy was very careful to say to us all that he has no doubt that that Canon never was in use in the American Provinces. [Laughter.]

Then another one was as to surplices. He says that there is no obligatory Canon of the English Church which compels the clergy of the English Church, other than those belonging to Cathedrals, to wear the surplice. In the days of my boyhood, and not very long ago, in a large part of Maryland and in Virginia, we saw our reverend clergy come not habited in the white surplice, but in the black gown, and open the service with "The Lord is in His holy Temple." The gentleman from Long Island says, "If you want to go back to those good old times, do not be afraid that there is anything in the English Canons that makes you wear surplices."

If there is nothing on the subject of surplices there is another Canon that stares the reverend deputy in face—the canon which compels every clergyman at the sacred name of our Saviour to do lowly reverence. "Oh," said he, "I have no doubt that that Canon was not in use in the American Provinces." All the Canons of the English Church then that bear upon the subject of ritual at all are, according to the advice of the reverend deputy from Long Island, to be got out of your way because he would advise the Bishops, as he argued before you, that they were not in use.

Then take it to be true; I do not believe it exactly; but suppose it is so; what is the consequence? That you say the whole law of ritual is in the Prayer Book and in your own Canons and in the Canons of the English Church, and then your argument is that the Canons of the English Church only touch one or two points of ritual, and they were not in use in the colonies. And then you are sent back to the Prayer Book, because, I say, our Canons do not touch the subject, and everybody that takes up his Prayer Book knows that there are many points of rite and ceremony that the Prayer Book does not profess to open its sacred lips about.

Then, gentlemen, here is your Canon of ritual, a Canon of ritual that, while it purports to give you the whole Canon law, while it purports to lay down to our fathers, the Bishops, the rule by which they shall guide the pastors beneath them, touches hardly a single subject of ritual; and yet that is said to be the exclusive law of ritual! Are we to send that down? Are we to adopt that as the law of ritual, which does not touch the subject of ritual? I trow not. I believe that when we adopt a law of ritual it should be one that it comprehensive enough regulate to the whole subject of ritual; that we should be able to declare, beyond all peradventure, whether or not choral services are lawful, whether or not surpliced choirs are lawful, whether or not we may (not following the example, but supported in these troublous times of controversy by our friends the Masons) carry in procession in the Church the cross that the Masons carry in the street. That may not be lawful; it may not be the mind of this Church that this cross should be carried; it may not be the mind of this Church that choral services should be allowed; it may not be the mind of the Church that there should be any reverence at the name of our Saviour; but when all these things are the very subject of ritual, do not tell the Church that you have come here and, to use the expression of some gentleman, done something; when you do that, do not, when they ask of you bread, give them a stone. Do not refer them to that as the whole law of ritual, which does not touch the law of ritual and leave the whole subject of ritual unprovided for.

But that is not all. What does this Canon propose to do? Suppose I was wrong on this point; suppose it was true that the Canons of the English Church as passed by the English Church contained all that was necessary on this subject. It is not the Canons of the English Church that form the rule; but it is the Canons that were in use in the American provinces in 1789 or before 1789. What use? In what provinces? Will the Rev. deputy from Connecticut, will any one affirm that the same Canons which were in use in Maryland were in use in Massachusetts? I rather think in those days that the people in Maryland looked at ecclesiastical questions—perhaps they do in these days too—but in those days, at all events, they looked at ecclesiastical questions through a little different glasses. Suppose it turns out now, that of the thirteen American colonies there was one use in seven of them and another use in six. Suppose one of my clerical brothers puts Episcopal robes on him, and I ask him to tell me which use was the use in the American provinces in that case? It is putting it very favorably to say that there were only two uses; one use

in seven provinces, and another use in the other six; but, then, which of the two is the proper and the lawful use? Who is going to say? The Canon says, "In use in the American provinces;" but in that state of the case, there are two uses, and which use is to guide? Is it not perfectly apparent that that is a law which would be a snare to the Bishops? If they had, as I am sure they would have, every disposition to decide fairly and rightly, and without prejudice on the one side or the other, how could they, for their lives, decide that question unless they can affirm positively that there was but one well known use in each and all the provinces? A difficulty at once arises if the uses were different in different provinces.

But that is not all. What was the state of the Church in these American provinces at that time? Do we not know that in that grand old Dominion, mother of us all, that great old State of Virginia, on account of the departure from duty of the clergy, the name of the Episcopal Church was a by-word. Why? Because they had kept up with the use of the English Canons. I rather think that if the Virginia clergy had lived up to the Canons of the Church of England, they would not have been attending horse races and other such amusements, and would not have brought their beloved Church in that beloved State into such disrepute, as all history knows it was. Well, then, is it to be the Canons in use in Virginia, when there were none in use of any kind? If the Canon had said, "Canons in use in the Church of England, that were applicable to our condition here," it would have been much nearer the point; but here it is proposed to take the whole English Canons, a great many of which of course do not apply to us, and to select a point of time when the Church was at the lowest ebb, when it had just got Bishops, when there was no superintendence or supervision to keep it up to the mark, to take that point of time to determine the English Canons, which were then in use and which are now to be enforced, seems to me the falsest philosophy and most miserable legislation that could be devised. Why select a period of time of that kind, not for the English Canons which were in force, but for those which were in use? Then did we not have it said the other day before us, that at that time all over the country, the surplice, for instance, was never used, and if the Bishops were to go by the Canons then in use, they could never enforce the use of anything which was not then the subject of Canon and then in use.

We have no evidence before us as to the Canons which were then in use; and yet, in that state of the case, we launch this new Canon of ours before the Bishops. Understand me that I do not share in any sentiments which would, if put into law, deprive the Bishops of any particle of authority that belongs to their office. I believe that there are many questions which must be left to some authority to decide, and I know of no other authority than the Bishops of the Church; but it is one thing to leave them to decide without any legislation at all, and it is another thing to leave them to decide and give them a law to decide by, which, if they follow, they will of necessity go astray.

That is the reason why I am opposed to the third section as well as to the second section of this Canon. It is not because of a want of a confidence in the Bishops; it is not because I do not believe that they would administer it better than anybody else would administer it; but it is because you give them a law

to administer which is no law. You say to them that they must find justification for the ritual which is used, in Canons that say nothing about ritual; and of necessity, therefore, you put down before the Bishops a law as their guide, which, if they go by, they find themselves condemning usages which not Ritualists alone now defend, but which the whole Church practices.

Now, Mr. President, I ask the Convention if this argument be sound, can they, with every desire to deal with this subject by law, commit themselves to the passage of this proposed Canon, and say to the Church, "That is your law of Ritual." I have expressly avoided saying anything harsh; saying anything that partakes of the nature of what is called party spirit or party feeling on this subject. I have none. While I regret most exceedingly some of the remarks that fell this morning from my clerical brethren in replying to each other, I think it is no part of my humble duty to refer to any of those matters. I intended to make an argument to show this Convention, not that no law is necessary, not that the subject should not be dealt with by law, but that when you come to deal with it by law, you should deal with it, not fragmentarily, not on a false basis, but when you send out to the country and to our dear Church this Ritual law, you should send it out rounded, in its entirety and dealing with the whole subject; let it say where the fonts shall be; let it say whether the clergy shall bow at the name of our Saviour or not. Do not profess to deal with one or two things; do not profess to say that the water shall not be mixed with the wine in the presence of the people—that is one of the amendments proposed—that is to say it may be mixed with wine outside of the presence of the people, as we all know is constantly and commonly done by many who do not profess to be Ritualists and who would be horrified at the idea of being so considered. I only allude to that for illustration. Bring within one comprehensive code everything, so that from the moment the clergyman enters the door of the church he will have the whole law of his conduct laid down so plainly that unless he wants to err he cannot err therein. Make it so plain that all honestly-disposed priests and deacons will walk by the same rule and mind the same things, and I will not believe, though my friends of the clergy have said it is true, that there is any clergyman of our Church who, when the law is laid down plainly to him, will not walk thereby; but if he does, be he what is called Ritualist or be he what is called Evangelical, then let him be tried, punished, and deposed if he errs; but do not say that one clergyman may bow at the name of our Saviour or not as he pleases, if it is the law of the Church that he shall, and say to another clergyman, "You shall not mix the water with the wine in the presence of the people," when there was no law heretofore on the subject prohibiting it. Deal with the entire subject as a whole code, and then the Church will rise up and call you blessed.

The Rev. Dr. Schenck, of Long Island, obtained the floor and, upon his motion, the House adjourned until to-morrow morning at 9 o'clock.

NINETEENTH DAY.

WEDNESDAY, October 25, 1871.

Morning prayer was said by the Rev. WALTER R. RICHARDSON, a Deputy from the diocese of Texas, assisted by the Rev. HENRY WATERMAN, D. D., a Deputy from the Diocese of Rhode Island, and the service was concluded

by the Rt. Rev. ALEXANDER GREGG, D. D., Bishop of Texas.

On motion of the Rev. Dr. MITCHELL, of Georgia, the reading of the journal of yesterday was dispensed with.

NEW YORK FEDERATE COUNCIL.

The Rev. Dr. HAIGHT, of New York. I move to take up the report of the Committee on Canons relative to the Federate Council of the State of New York.

Mr. FORSYTH, of Albany. I second the motion of the reverend Deputy from New York. After consultation, we have concluded to take the report as it came from the Committee on Canons, and ask the House to just pass upon it, so that we may have action from the House of Bishops before the adjournment of the Convention. I have no speech to make about it; I merely ask gentlemen to adopt the report of the Committee on Canons, which has been thoroughly discussed heretofore on the floor of the House.

The PRESIDENT. The question is on taking up the report referred to.

The motion was agreed to.

The Rev. Dr. HAIGHT, of New York. I will say to the House that this is a matter which concerns very nearly the five dioceses in New York, and does not particularly concern anybody else just now.

The resolution reported by the Committee on Canons was read, as follows:

Resolved, (The House of Bishops concurring), That the General Convention doth hereby approve such of the powers proposed to be exercised by the Federate Council of the State of New York, as are set forth in the 1st and 2d Sections of Article 1st, and in Article 2d of the Declaration of Powers submitted for the approval of the General Convention, but doth decline to approve the 3d Section of Article 1st of the said Declaration of Powers, for the reason that Article 6 of the Constitution confers upon each Diocese in said State the power to institute the mode of trying presbyters and deacons therein, including a Court of Appeals, if such diocese elects to institute such tribunal for itself; and whether such Appellate Court shall also be the Appellate Court of any other of the Dioceses in said State, is a matter of discretion and concurrent choice on the part of the Conventions of such other Dioceses, respectively. But the approval of powers hereby given, is upon the express condition that the regulations proposed to be enacted, as suggested in the 2d Article of the Declaration of Powers, aforesaid, shall be accepted and approved by the Conventions of all the Dioceses in said State; and it is hereby further declared that the General Convention doth hereby reserve to itself the right to withdraw the approval of powers, hereby given, at its pleasure.

The Rev. Dr. SCHENCK, of Long Island. I do not think we ought to pass this resolution in this hurried way. It settles the great question of an appellate court.

The PRESIDENT. No, sir; it leaves that all out. The Committee have determined not to have it.

The Rev. Dr. SCHENCK, of New York. I thought it was a well understood thing that this report on the Federate Council should come up in association with the report of the Committee on Canons with regard to an appellate court, in order that the question of the imperative importance and value of having such courts organized on this separate basis might be considered. Do I understand that in that report the idea of an appellate court is entirely left out?

Mr. LIVINGSTON, of New York. We adopt the report of the Committee on Canons, taking their doubts and difficulties as to the constitutional right to establish appellate courts. We just take their report, and will go home and do what we can under it.

Mr. FORSYTH, of Albany. We had permission of the House to take it up now, in order that we might dispatch it and send it to the House of Bishops.

The Rev. Dr. SCHENCK, of Long Island. Do I understand, then, that the sanction of this House is given to establishing the appellate court of these dioceses?

The Rev. Dr. HAIGHT, of New York. Not in the form it was proposed by us, but in a given form, which we may accept or not; and I understand, also, the sense of certainly very leading members of the House to be, that if New York goes on and forms an appellate court under the scheme set down here, we shall do what we have a perfect right to do, but this House does not choose to sanction it beforehand.

The Rev. Dr. SCHENCK, of Long Island. I have only one opinion to express before the House votes on this question, which is, that this idea, if carried out, affords no provision whatever to dioceses which, by reason of their narrow boundaries, are not susceptible of division. New York may, by establishing an appellate court for the five different

dioceses in that State, or as many more as may be created, will establish a precedent which likely will govern the legislation of this House hereafter on the subject of an appellate court. It leaves such dioceses as Rhode Island and Delaware and other small dioceses, which may never be divided, without any such provision whatever for their clergy, unless they choose to adopt the court of another diocese.

The Rev. Dr. HAIGHT, of New York. I beg to say to my reverend brother that such a diocese may, if it choose, form an appellate court. There is one in Illinois and one in Iowa now. There may be one in Rhode Island and one in Delaware.

Rev. Dr. SCHENCK, of Long Island. I am speaking of an appellate court to be formed by a Federate Council, not by separate dioceses. I am aware that they can be formed at any time; but I am speaking of a court by which a matter can be got out of a particular diocese, by which we get not only a change of judges, but a change of venue, which I think is very important.

The Rev. Dr. HAIGHT, of New York. If we accept the report of the Committee on Canons now before us, there is a mode provided by which that thing can be done in the province of New York.

The resolution was agreed to.

TRIALS OF CLERGYMEN.

Rev. Dr. ADAMS, of Wisconsin. I wish to have the liberty of introducing resolutions germane to this matter of an appellate court.

The PRESIDENT. That is new business.

The Rev. Dr. ADAMS, of Wisconsin. Can I not introduce resolutions simply to get them on the Journal of the House?

The PRESIDENT. The resolution of the House says that no new business shall be introduced.

The Rev. Dr. ADAMS, of Wisconsin. If I may be allowed to read the resolutions, perhaps the Chair would see they are not new business, but in reference to this matter.

Resolved. That the present state of the Church, in regard to the want of an appellate court, is incongruous and against all principles of equity and justice.

Resolved. That this incongruity arises from an alteration made in Articles 4 and 6 of the Constitution, in 1838, whereby the Convention of the Church in the United States was deprived of its power of instituting the method of trial of clergy, and it was given to the Dioceses.

Resolved. That a committee be raised to report to the next General Convention a Canon whereby the appeals shall be given to the Dioceses within the State, or if there be not three Dioceses, then to the three or more Dioceses immediately adjacent.

The Rev. Dr. HAIGHT, of New York. The Committee on Canons have already reported an amendment to the Constitution, touching that very point, which is now on the table.

The Rev. Dr. ADAMS, of Wisconsin. Cannot these resolutions be brought forward simply to be entered on the Journal?

The Rev. Dr. HAIGHT, of New York. The whole subject is now on the table, to be called up at any moment.

The PRESIDENT. The Chair will call for reports of committees.

RULES OF ORDER.

The Rev. Dr. HAIGHT, of New York. I desire, on behalf of the Special Committee on Rules, to report a code of Rules, carefully prepared, and to move that the same be entered on the Journal and laid over to the next General Convention. It is a very admirable code, I believe, Judge Sheffield had a good deal to do with it, as well as the other members of the Committee. I move that the report of the Committee on Rules of Order be entered upon the Journal and laid over to the next General Convention.

The motion was agreed to.

COPYRIGHT OF CHURCH BOOKS.

The Rev. Dr. HAIGHT, of New York. The Committee on Canons, to whom was referred a proposed Canon relating to the prohibition of a copyright of books used in the service of the Church, respectfully report that they have considered the subject, and are of opinion that the adoption of the proposed Canon would be inexpedient. They therefore recommend the adoption of the following resolution:

Resolved. That the Committee on Canons be discharged from the further consideration of the proposed Canon relating to the prohibition of copyright of books used in the service of the Church.

The reason is just this: There are but two books used in the service of this Church,—one the Prayer Book and the other the Hymn Book; the Prayer Book never has been copyrighted, and never will be; the Hymn Book has been copyrighted.

The Rev. Dr. ANDREWS, of Virginia. Has no edition of the Prayer Book ever been copyrighted?

The Rev. Dr. HAIGHT, of New York. Not that I heard of.

The Rev. Dr. ANDREWS, of Virginia. I have one in my pocket which purports to be.

The Rev. Dr. HAIGHT, of New York. Let us pass this resolution.

The resolution was agreed to.

EPISCOPAL SUPERVISION.

The Rev. Dr. HAIGHT, of New York, submitted the following report:

The Committee on Canons, to whom was referred message No. 43 from the House of Bishops, relating to the case of Dioceses too large for the supervision of one Bishop, respectfully report that they recommend the adoption of the following resolution proposing an amendment to Article 5 of the Constitution, in place of that contained in the message above mentioned:

Resolved, (the House of Bishops concurring). That it be recommended and proposed that the following alteration be made in the 5th Article of the Constitution, to wit: Insert at the end of the Article the words, "The General Convention may, upon the application of the Bishop and Convention of an organized Diocese, setting forth that the territory of the Diocese is too large for due Episcopal supervision by the Bishop of said Diocese, set off a portion of such Diocesan territory, which shall thereupon be placed within or constituted a Missionary Jurisdiction, as the House of Bishops may determine.

We dissent from the proposition of the House of Bishops in some slight particulars, and have rewritten the Article.

The resolution was agreed to.

FORM OF PAROCHIAL REPORT.

The Rev. Dr. VAN DEUSEN, of Central New York. The Committee on the State of the Church report the following resolution:

Resolved, That on account of the lateness of the session and the pressure of business, the further consideration of the form of the parochial report is inexpedient.

The Committee find, upon inquiry, that the House has never yet adopted a form of parochial report, and the Secretary has issued a formula embracing various items of information, which are thought sufficient. The Committee, therefore, under the circumstances, offer this resolution.

The resolution was agreed to.

DEVIATIONS FROM STANDARD PRAYER BOOK.

The Rev. Dr. HUBBARD, of New Hampshire, submitted the following report:

On the subject referred to them, to inquire whether any edition of the Prayer Book deviating from the Standard has been issued, the Committee on the Prayer Book respectfully report that they have discovered one edition of the Prayer Book with the following deviations:

1st. The edition is printed under a copyright that is declared to be for certain musical notes or marks introduced into various parts of the service, but, of course, carrying the whole book in the same. The Committee find on the page on which the copyright is declared, a circumstance for which they cannot account; the date of the authentication of this edition of the Prayer Book is two years antecedent to the date of the copyright.

2nd. On the top of the title page are introduced the words "The Psalter annotated and punctuated."

3rd. Throughout the Canticles, the selections of Psalms, and the Psalter are introduced various lines and other marks not to be found in the Standard of 1844, and especially the colon, rejected by the present Committee on the Standard Prayer Book.

4th. Many words, and some of great importance, are printed in italics, and sometimes the word "Lord" is printed in small letters, when it should be in capitals.

Respectfully submitted,

R. S. MASON, Chairman.

The PRESIDENT. Do the Committee recommend any action?

Rev. Dr. ANDREWS, of Virginia. That is a report of facts. Is there any resolution accompanying the report?

Rev. Dr. HUBBARD, of New Hampshire. The Committee were not asked to report any action, and they have not done it. It is competent, I suppose, for any member to move a resolution.

Rev. Dr. ANDREWS, of Virginia. I think we should pass a resolution prohibiting any edition of the Prayer Book not duly authenticated. I understand the Chairman of the Committee is writing a resolution to that effect.

Subsequently, Rev. Dr. ANDREWS, of Virginia, offered the following resolution:

Resolved, (the House of Bishops concurring) that the introduction of any annotation, punctuation, or other deviation from the standard Prayer Book, is unlawful.

The PRESIDENT. I suppose that resolution will go on the calendar.

Rev. Dr. ANDREWS, of Virginia. Yes, sir; to be called up to-morrow, or, if there is time to vote now, I should like to have it acted upon.

Rev. Mr. McKIM, of Delaware. I desire to be heard upon it.

The PRESIDENT. Then the resolution will lie on the table for the present.

FRENCH PRAYER BOOK.

Rev. Dr. JACKSON, of Connecticut. I should like to ask whether it is in order for me to submit a report from the Committee on the French Prayer Book without reading, as our time is very precious, which has been already passed upon in the other House. I would state that the Joint Committee have been able to accomplish nothing, partly owing to the fact that the Chairman of the Committee resided in New Orleans, and the members were widely dispersed, but they have now appointed a Sub-Committee in case it should be the pleasure of this Convention to continue them. That Sub-Committee live near each other, and they promise to take hold in earnest, and bring out, at the earliest possible point of time, a translation of the French Prayer Book. One of the Bishops, who is deeply interested in this work, has undertaken to guarantee the expense, so that it shall not cost this Convention anything whatever. It is proposed, moreover, in our report, that the Committee be authorized to print this edition, and that on being licensed by any Bishop who has caused it to be subjected to a satisfactory examination, it may be used tentatively, provisionally, until the next General Convention. The Joint Committee, then, have appended to their report the following resolutions, which I will read:

1. *Resolved*, That the Joint Committee on a new version of the Book of Common Prayer in French, be continued, with authority to complete and print an edition of said book.

2. *Resolved*, That the said book thus printed, may be used provisionally by French-speaking congregations in any Diocese on being approved and licensed by the Bishop thereof.

3. *Resolved*, That the Joint Committee be authorized to continue their labors of revision on said book, with a view to present it in as correct and perfect and satisfactory form as may be attainable by them, to the next General Convention for its approval and authorization.

4. *Resolved*, That the Committee be authorized to secure and hold, in such manner as to them may seem best, the copyright in said book for this Convention, so as to place the book under its control.

5. *Resolved*, That the said Committee be authorized to prepare a Hymnal to be used in connection with the aforesaid Prayer Book.

These resolutions have been passed in the other House, and I would respectfully offer them for adoption by this House.

Rev. Dr. PERRY, of Western New York. May I ask whether we have not a French Prayer Book now used in a measure in this Church? What has become of the labors of Bishop Hobart?

Rev. Dr. JACKSON, of Connecticut. We have a French Prayer Book, but all authorities agree that it is a very defective one, very unsatisfactory to French scholars. Of course that will continue to be used until this is brought out.

Rev. Dr. PERRY, of Western New York. Why can we not use the plates of the other edition? I had a proposition in my hand yesterday, from the publisher of that book, who is the agent of the New York Bible and Common Prayer Book Society, offering to change its plates to any version that would be approved by the General Convention. It seems rather hard when the Society have expended so much money in preparing that version, to take it out of their hands.

Rev. Dr. JACKSON, of Connecticut. The Committee will duly consider that, and endeavor to see that they receive no wrong.

Rev. Dr. PERRY, of Western New York. I trust a copyright will not be allowed on the French Prayer Book when it is not allowed on our own.

The Rev. Dr. JACKSON, of Connecticut. The only object of the copyright was to secure the control of this thing until it had received the authorization of this Convention, and that after that the Convention should do with it as might seem best to it.

The Rev. Dr. HAIGHT, of New York. But how will the copyright give us any such control as will answer the end proposed?

The Rev. Dr. JACKSON, of Connecticut. Why not?

The Rev. Dr. HAIGHT, of New York. I do not see why. What control do you want over the Prayer Book?

The Rev. Dr. JACKSON, of Connecticut. We want the control of this book until it passed under the absolute control of this Convention. We propose to publish a tentative edition, and control it until we deliver it up into the hands of this Convention.

The Rev. Dr. HAIGHT, of New York. I do not see any probability of a tentative edition being published by any one. There is no such demand for it.

Mr. RUGGLES, of New York. I will say that this Committee have attentively considered the question of a French Hymnal, which, when carefully prepared, we should hope would be worth copyrighting. It will be a new book entirely. There is no French Hymnal now. I think the matter may be safely left with the Committee.

The Rev. Dr. HAIGHT, of New York. I will tell you how it strikes me. Here the Bible and Common Prayer Book Society, in the City of New York, years ago, published a French Prayer Book, under the highest sanctions which the Church then could give. They published that at their own expense. They have distributed a large number of copies gratuitously; and now you are going to come in, and by your copyright prevent their altering their plates and issuing another edition. That is, you are going to destroy all the property of that charitable institution of the Church, and make it worth nothing, for the benefit of somebody else.

Mr. RUGGLES, of New York. Then I would recommend the Chairman to abandon that portion of the report. I was not aware of that circumstance. The Hymnal is a new work.

The Rev. Dr. HAIGHT, of New York. There are some startling facts with regard to these different Prayer Books, which have come to my knowledge in a few days. There is a Spanish Prayer Book now published by that Society in the City of New York, said by good scholars to be a very superior translation, and now the proposition is to make another translation; and of course, if another translation comes out, with the sanction of the Convention, it puts that book entirely aside. There is no inducement held out by this action to the Bible and Prayer Book Society of New York, to help on the work of this Church, at all. Just as soon as they issue a book in a foreign language, up jumps some one, who moves another Committee, and a new translation is brought out. Do you expect the Society to throw away its money in that way?

Mr. RUGGLES, of New York. May I not suggest that this Committee, consisting of Rev. Dr. Dix and others, discreet and prudent men, may coöperate with that Society.

The Rev. Dr. HAIGHT, of New York. I do not know that they will, for I find these Committees are often managed by some one outside, who has some end to subserve. It ought to be known that there is an edition printed and stereotyped, and virtually given away.

The Rev. Dr. MASON, of North Carolina. I would respectfully ask one question. Have we a clear and decided determination, by competent persons, that the translation of the Prayer Book into French is an able translation? It is one of the most difficult things in the world to effect a translation into a foreign language, and I would ask if we have certain and undoubted proof that it is an able translation.

The Rev. Mr. FARRINGTON, of New Jersey. I ask if we have not just passed a resolution, resolving that there shall be no copyrights?

The PRESIDENT. No, sir.

The Rev. Dr. MASON, of North Carolina. I ask the Rev. Dr. Haight if there is certain assurance that the translation we have is a correct one?

The Rev. Dr. HAIGHT, of New York. Which one?

The Rev. Dr. MASON, of North Carolina. The one spoken of.

The Rev. Dr. HAIGHT, of New York. I can not say,

because I am no French scholar. All I know is that it was printed by the Society, after it had been authorized by this Convention, and it has been in use, and they have given away a large number of copies, because the Bible and Prayer Book Society do not expect to make any money out of the Prayer Books they publish.

The Rev. Dr. JACKSON, of Connecticut. How would it answer their purpose to strike out the resolution as to copyright? I care nothing about it.

The Rev. Dr. HAIGHT, of New York. Very well.

The Rev. Dr. CADY, of New York. That Society hold their plates always subject to the action of the General Convention.

The Rev. Dr. JACKSON, of Connecticut. We will strike out this resolution.

The Rev. Dr. MASON, of North Carolina. I will ask the question again, is there any probable assurance that that is an able translation?

The Rev. Dr. HAIGHT, of New York. You have the assurance of the authority of this Convention, in the first instance, and then of its use for some time.

The Rev. Dr. MASON, of North Carolina. Then I do not see how it is possible we can have any better, and I am opposed to the introduction of any other translation, until we know that that is a bad one.

The Rev. Dr. HAIGHT, of New York. But French scholars disagree, and tastes disagree; that is the trouble.

Mr. RUGGLES, of New York. I beg to state, on the authority of no less a personage than the Rector of Trinity Church, a most accomplished French scholar himself, that it is a very poor translation, and very inaccurate in a great many important respects.

The Rev. Dr. MEAD, of Connecticut. I am opposed to a copyright on the Prayer Book in any language. It is contrary to the spirit of the Church. You may get it on your Hymnal; but, God being my helper, you shall never get it on the Prayer Book without a trumpet voice against it, while I am living and a member of the House.

The Rev. Dr. JACKSON, of Connecticut. I propose, then, that we adopt the other resolutions, and that we disagree to the one with regard to the copyright.

Mr. RUGGLES, of New York. As one of the Committee, I beg to say a word. I would add that the Committee be instructed to co-operate with the New York Bible and Common Prayer Book Society in this work. That will guard all their rights.

The PRESIDENT. That had better be an additional resolution.

The resolutions were acted upon *seriatim*, and were all adopted, with the exception of the 4th resolution, in regard to the copyright, which was non-concurred in.

Mr. RUGGLES, of New York. I now move the following additional resolution:

Resolved, That said Committee, in correcting and printing said Prayer Book co-operate with the Bible and Common Prayer Book Society, of New York.

The resolution was agreed to.

ASSISTANT BISHOPS.

Rev. Dr. HAIGHT, of New York, submitted the following report:

The Committee on Canons, to whom were referred messages Nos. 49 and 51, from the House of Bishops, respectfully report that they have considered the same and recommend that the House concur in the action proposed by the House of Bishops, with an amendment as embodied in the following resolution:

Resolved, (the House of Bishops concurring,) that section 5 of Canon 13 of title I., is hereby amended so as to read as follows:

"When a Bishop of a Diocese is unable, by reason of old age or other permanent cause of infirmity, *or by reason of the extent of his Diocese*, to discharge his Episcopal duties, one Assistant Bishop may be elected by and for the said Diocese, who shall in all cases succeed the Bishop in case of surviving him: *Provided, that before the election of an Assistant Bishop for the reason of extent of the Diocese, the consent of the General Convention, or during the recess thereof the consent of a majority of the Bishops and the several Standing Committees must be had and obtained.*

[The words in *italics* are the new matter inserted.]

And then the section proceeds as in the present Canon: "The Assistant Bishop shall perform such Episcopal duties," &c.

The point in which the Committee on Canons proposes to amend the message of the House of Bishops is this: The House of Bishops sent down a proviso that before the election of an Assistant Bishop by reason of the extent of the

Diocese, the consent of the General Convention should be had and obtained. We propose to add: "Or during the recess thereof, the consent of a majority of the Bishops and the several Standing Committees must be had and obtained," so that while now it will be competent to give relief, if this Canon is passed, to Texas and California, any other Diocese finding itself in the same predicament—and we know that there are one or two which may possibly come under that category—shall not be obliged to wait three years before it can get the same measure of relief which this Canon will now give to Texas and California if passed.

Mr. McCRADY, of South Carolina. I wish to ask a question. It strikes me that this is a very improper thing to be attempted to be done by Canon. I think the Bishops will send it back to us, for it cannot be done constitutionally. You are making another Bishop in the House of Bishops, giving another vote thus altering the Constitution of that body by Canon. You have proposed to alter this Constitution this year to meet these difficulties. As I understand it, you have not yet any provision for this kind of Assistant Bishop in your Constitution. If I am mistaken I shall be very glad to submit; but if I am not mistaken, you are altering the Constitution of the other House without any alteration of the Constitution of the Church, and it is a very serious matter that you should attempt to do by Canon things which are organic. You are altering the Constitution of the other House.

The Scotch Church is like ours in a great many respects, and they had a Canon by which they allowed Assistant or Coadjutor Bishops to be made, just as we do, and for the same causes. This ground for an Assistant Bishop is not provided for in your Constitution. There was a provision made by the Scotch Church which is very remarkable, and shows how we all may hit on the same thing. They made a stipulation that no Bishop should have an Assistant Bishop until he had agreed that he would not interfere with or influence the election of the Assistant. That was one of the results of their experience. Is it not true, if you have these elections for Assistant Bishops, that you have one Bishop in the Episcopate who can control, and, therefore, you ought not to extend it more than you have already done. At all events, do it constitutionally. If the Constitution allows it, by all means let it pass; but it is organic, and we have a right to know how many seats there shall be in the House of Bishops.

This does not affect us individually now, but it affects the whole Church. The Church is a party to the Constitution made by you. You cannot alter that Constitution. That belongs to those who sent us here, and they must be consulted before you can change it. I have no objection to there being assistant Bishops on such occasions as are proposed to be provided for, because extent of territory is just as serious a cause as that now provided for, but I do think the course marked out is wrong. If this were offered as an amendment to the Constitution to enable us to do it, well and good.

The Rev. Dr. HARE, of Pennsylvania. I should like to ask the gentleman from South Carolina to point out the article of the Constitution which will be contravened by the proposed measure.

Mr. McCRADY, of South Carolina. I will say that article of the Constitution which provides for our Bishops, and how they shall be elected. That constitutes the other House. You have no other Constitution of the other House than that. If that does not constitute the other House, then you have no law for constituting that House at all. That provides expressly when there may be an Assistant Bishop:

"The Bishop or Bishops in every diocese shall be chosen agreeably to such rules as shall be fixed by the Convention of that Diocese; and every Bishop of this Church shall confine the exercise of his Episcopal office to his proper Diocese, unless requested to ordain or confirm, or perform any other act of the Episcopal office, by any Church destitute of a Bishop."

The Rev. Dr. HARE, of Pennsylvania. Does that relate to the matter at all since it is not proposed that the Assistant Bishop to be elected shall be elected by any other than the Convention of the Diocese which he is to serve? I beg to submit that there is no force in this objection, although it comes from so highly a respectable source. The only article of the Constitution concerning this matter is article 3: "The Bishops of this Church, when there shall be three or more, shall, whenever General Conventions are held, form a separate House, with a right to originate and propose acts," etc. Under this Constitution we have passed the act which says in title I. Canon 13 section I., that "When a Bishop of a diocese is unable, by reason of old age or other permanent cause of infirmity, to discharge his Episcopal duties, one

Assistant Bishop may be elected," &c. All that is now proposed is to allow an additional case in which an Assistant Bishop may be elected. What contravention of the Constitution will come of this? I beg to say, that if there be no objection to this besides the constitutional one, there is no objection at all.

The Rev. Mr. ROGERS, of Texas. I am not going to plead the cause of Texas, but I desire to state to this Convention exactly under what circumstances this Canon comes before you. After twelve years of earnest trial on the part of the Diocese of Texas to do its work, it concluded three years ago to ask relief; it did ask relief. At this Convention it comes in and designates an especial line of relief. What it asked first was, that you should allow it to set off a portion of its territory and assign it to a Missionary Jurisdiction. When that matter came before this House the entire feeling of the House, so far as I could see, was in favor of giving relief to that diocese. It was, however, very properly committed to the Committee on Canons. That Committee saw that there were constitutional objections. We were asking that to be done for which there were no constitutional provisions. While every member of that Committee was anxious to do something, they could not do exactly what we then asked. We had a saving clause in our memorial, asking you to do what should seem best to you, if you did not do what we asked. That Committee, in order to give the relief and avoid transgressing the Constitution, proposed the enactment of a Canon that a Diocese, territorially so large as to be unable to receive Episcopal supervision, should have the right to ask, in concurrence with its Bishop, Episcopal aid from other Dioceses, or from Missionary Jurisdictions, with the intention that there might be, perhaps, a new jurisdiction created outside of the Diocese of Texas, to which we might apply and get our aid.

That was the best they conceived they could then do. That Canon went to the House of Bishops. The House of Bishops, upon consideration of it, looked upon the map of the State of Texas, and found that on the south we had no Bishop, because we were upon the borders of Mexico; on the east there was no Bishop who could render us any aid, because there was the Gulf of Mexico; on the north there was no chance for aid in that direction, because there was the Indian Territory; on the west there was no chance for aid, because there was that uninhabited tract of New Mexico. So, if they had passed that Canon, they would have simply done what we asked them, but at the same time done us no good whatever. Then, so anxious were this House to render relief, knowing that the Church there required it as much as anywhere in the world, they turned around to see what they could do to give it, and there was but this one thing left—that the Canon in regard to Assistant Bishops should be so changed that we should be entitled to have an Assistant Bishop, what is being had anywhere that it is needed, but could not be had by us because of our peculiar circumstances.

Now that Canon is before you. If it passes, I am going to ask that a short memorial be introduced here, asking your leave to that election, as we are bound to do that, and I hold in my hand a resolution granting it. I do not believe when China, and Africa, and Greece, and the Indians are receiving your aid with a full heart, that it is done because they are not your blood and not your people. I do believe that when others, needing it as much as they, with their doors open, with their hearts ready, with their prayers going up day and night to God, and their letters to the Bishop, where it will not cost the blood of a single Missionary to carry the Gospel to those men and the Church to those inhabitants—I do not believe when this door is opened right at your hearth-stones, you are going to turn away upon any simple technicality and refuse to do to your own kith and kin what you are willing to shed the blood of your Missionaries and turn your pockets wrongside out for those who have none of your blood and yet are your kindred in common humanity, and to whom your sympathies are due, but no more than to those. I am done.

The Rev. Dr. ADAMS, of Wisconsin. I wish to say to this Convention that I have no objection whatsoever to a measure of relief being brought in in behalf of the Diocese of Texas and the Diocese of California; but this is a new provision with regard to Assistant Bishops. The principle of electing an Assistant Bishop has been, that when a Bishop is disabled by disease, sickness, or infirmity, then an Assistant Bishop may be elected. Now, as I am limited in time, I will simply say that this introduces an entirely new reason, a reason that lies altogether outside that reason for Assistant Bishops, namely, "or by reason of the extent of his Diocese."

This Convention will please look at the extent of our

Dioceses Wisconsin is 56,000 square miles. Under this Canon we can have an Assistant Bishop. Illinois is 60,000 square miles; there can be an Assistant Bishop there without any reason of infirmity. Missouri is 87,000 square miles; a chance for another Assistant Bishop there. And so we can go through the States from end to end, and there is no limit to the number of Assistant Bishops under this Canon. If it passes, I tell you that within the next ten years we may have 30 Assistant Bishops. The Convention will take notice of that. They will take notice that there is a new principle introduced altogether, a principle which enables the Church to have any number whatsoever that she pleases of Assistant Bishops, a principle that makes no step over the clear provision that an Assistant Bishop was solely on account of the infirmity, or disease, or disability of the Bishop. Why, sir, we may, except in three or four New England States, double the House of Bishops.

I believe the Convention have got this into their mind, and as I do not know how long a time I have, I will read the Canon, and I wish this Convention to make provision for California and for Texas in some other way than by introducing a principle which is contrary to all we have ever done, and which one of the most leading lawyers of this House, and one of the men most skilled in the Constitution of this Church, says is utterly unconstitutional.

I would wish the Convention to understand the new matter. The present provision allows an Assistant "when the Bishop of a Diocese is unable by reason of old age or other permanent infirmity." There is the principle. There is the constitutional principle of an Assistant Bishop in all times and in all ages, that and that alone; and then here is this new matter that is to swamp us with Assistant Bishops in forty States of the Union: "or by reason of the extent of his Diocese."

The PRESIDENT. The gentleman's time is up.

The Rev. Dr. HAIGHT, of New York. The gentleman from Wisconsin has stated a part of the new matter; but has not stated another very important portion of new matter, and that is, that in this case no diocese can act without the previous consent of the General Convention, which makes all the difference in the world. So far as the constitutionality is concerned, if this is unconstitutional the existing form of Assistant Bishops is unconstitutional.

The Rev. Dr. LEWIN, of Maryland. Mr. President, in this matter I speak with very great embarrassment. The appeal to this House by the Rev. Deputy from Texas is enough to move us all; but without any intention of irreverence, I may say, that silver and gold we may have to give, but principle we cannot part with, no matter how great the inducement may be. I will not touch the constitutional question, but there is something entirely above any constitution which we may raise, and it is touched by this matter—I mean the community of the Episcopate. I read, when I was a candidate for Holy Orders, and since, much of the argument in favor of the Episcopacy, from St. Cyprian, St. Ignatius, St. Clement. I do not name them in their order, in which I ought to name them; but speaking of the Bishop being one in his Diocese, one earthly head, one centre of operations, one who overlooks all the operations of the Diocese, and is the one overseer of the work that is going on.

But more than this, I hold in my hand a work of the best Canon lawyer that this Church has produced, the late Rev. Dr. Hawks; and he coincides with Bingham that an Assistant Bishop, in case of infirmity, may be allowed, because it was allowed in the primitive age. I respectfully differ from him and Bingham, too; but that is another question. Here, however, we depart from that principle. It was never allowed except in extreme old age. My reverend friend from New York laughs. He thinks this is very presumptuous in me, almost as presumptuous as to differ from the Committee on Canons here [laughter]; but yet I contend that if I had time I would demonstrate that there is not one single instance upon record where any one was elected an Assistant Bishop into a diocese, contrary to the 8th Canon of the Council of Nice, except St. Augustine, and he acknowledged that he did it from ignorance, and that he did not know of the existence of that Canon, and he refused to do it in the case of Eradius,

though he was anxious that he might succeed him. Then in this action we act entirely against our principle that there shall be one Bishop in a diocese, and that it is only in extreme old age, in that case quoted by Bingham, when the Bishop, was, according to some authorities, 116, and according to others, 110, and then by a miraculous interposition, he had somebody suggested to him, who was already a Bishop, to assist him. I say we are departing from this principle, introducing a new measure, leaving the unity of the Episcopate as never having been a principle in this Church; and we are to do this because relief is needed by the large Diocese of Texas, and the Diocese of North Carolina; both of them demanding our sympathy, both of them having my full heart's feeling in their favor, and to whom I would most gladly, if I had it to give, give relief; but I cannot give it according to the Canon here proposed.

The Rev. Dr. GOODWIN, of Pennsylvania. As to the objection on the Constitutional ground, I will say that every Missionary Bishop who has been chosen in this Church has been chosen under the canonical provision for the election of Missionary Bishops. It is a matter unprovided for in the Constitution, as far as I can read; and yet, our Missionary Bishops, foreign as well as domestic, have seats in the House of Bishops. I think it is a serious matter; but why now, when practical necessity calls for action, should we stumble at a thing which we have been doing over and over again, and have not complained of its unconstitutionality? I think it is a serious business to increase thus the representation in the House of Bishops, but we have done it over and over again. It has been totally a canonical regulation in regard to Missionary Bishops, and their seats in the House of Bishops. I think, therefore, the constitutional, technical objection is null.

As to the other point I do feel that the practical argument urged against this proceeding is very strong; but our brethren ask for relief, and we are ready to give them relief if we can do it without hazarding worse evils in the development of our plans. Admitting the weight of this objection, recognizing it fully, at the same time I say, holding that we must give relief here if we can, I would beg to propose an amendment; and as an amendment is already proposed by the Committee on Canons to the action of the House of Bishops, it will not encumber the matter in that view. I propose that the consent of the Convention shall be required by a two thirds vote, and that the consent of Bishops and of the Standing Committees shall be required by a two thirds vote, and by that safeguard I think we can protect this Church against such terrible evils as have been depicted by the reverend deputy from Wisconsin.

The Rev. Dr. Adams, of Wisconsin. I did not say anything of terrible evils, but of the multiplication of Assistant Bishops all over the West.

The Rev. Dr. GOODWIN, of Pennsylvania. I supposed the gentleman thought that would be a terrible evil. If it is no evil, then it is no argument against the measure. I would rather some

other person should propose the amendment; but if not, I shall myself offer an amendment that the vote giving the consent of the General Convention shall be a two thirds vote, and the vote giving the consent of the Bishops and the Standing Committees in the recess shall be a two thirds vote.

The Rev. Dr. HARE, of Pennsylvania. I will second that.

The Rev. Mr. BRONSON, of North Carolina. I appreciate the difficulties connected with the increase of Assistant Bishops. I appreciate fully the statement made by the reverend deputy from Maryland, with reference to the difficulties drawn from Ecclesiastical traditions, with regard to the increase of Assistant Bishops. Yet the argument advanced by him could hardly have much weight with this body, inasmuch as it uproots in fact, all Assistant Bishops under any condition of circumstances; but Assistant Bishop is an office that has become a recognized element of the Church.

The Convention of the diocese I represent, impressed by a sense of the importance of an increase of Episcopal service within its own limits, discovering the difficulties as it seemed to it connected with the increase of Assistant Bishops, appreciating those difficulties, conceiving that it would be a departure from the traditions of the House of Bishops, as well as a departure more or less, from the traditions of the whole Church to increase, the number of Assistant Bishops, instructed its delegation to frame a Canon submitting to the consideration of this Convention the propriety of appointing another means of relief for oppressed dioceses, by which they could secure Episcopal administration. It was, I may say, a policy in accordance, as I conceive, with ecclesiastical tradition, and meeting entirely the wants of all the different dioceses which have presented memorials here, and which memorials the Committee on Canons have attempted to meet by an increase in the number of Assistant Bishops, an office, I may say, always looked upon with especial jealousy, at least in the past history of the Church, and always looked upon with especial jealousy, so far as its increase is concerned by the House of Bishops. Not that I shall oppose this increase of the number of Assistant Bishops, but I propose simply to state the remedy which was suggested by our own Convention to meet the wants of our diocese. In accordance with the instruction given by that Convention, the delegation from my own State did submit to the Committee on Canons a Canon on Suffragan Bishops. These Bishops were to be limited in their authority; they were to be strictly subordinate to their Diocesan; they were to have no seat in the House of Bishops. No question, then, connected with the Constitution of the Church, no question affecting the equilibrium in the powers of the Church, so far as the legislation of the Church was concerned, was anticipated to be raised by that Canon.

That was one among the remedies pointed out whereby different dioceses might secure Episcopal administration according to the needs of those dioceses as understood by the diocesans and the Con-

ventions of those dioceses. It was to be permissive in its operation; it was to be a mere diocesan operation. Now I submit to this body that every diocesan surrounded by his clergy and his laity in convention is better qualified to determine what are the peculiar needs of that people, and of what peculiar form of Episcopal administration is most requisite to secure the interests of the Church in that field, than any body of men, however intelligent, however cultivated in the knowledge of ecclesiastical law can be who are without that field.

This was the remedy proposed by my own diocese; but it received its death warrant in the Committee on Canons. There was a minority report upon it; that report has never been under the consideration of this House.

The PRESIDENT. The gentleman's time is up.

Mr. BATTLE, of North Carolina. I will detain the House but a few moments. This is in accordance with the Constitution, and I think the necessity of the case. If gentlemen will note the Constitution they will see that the right of a Bishop to sit in this Convention is assumed as a fact. There is no prescription, there is no express declaration that the Bishop shall constitute a part of this Convention; but that is assumed as a fact. The Bishops have a right, wherever the Church meets, to be there; and for that reason it was not thought necessary that there should be a declaration that the Bishops should form one of the Houses of the Convention; and indeed when the Constitution was formed, there was a provision that if there was not as many as three Bishops they should sit with this House and give a vote here with the clerical members. As I remarked the other day to my venerable friend from Pennsylvania, it was assumed that the whole Church was missionary, and it was unnecessary to make any provision about that matter. So here the existence of Bishops is admitted and the fact that Bishops have a right to seats in the other House is admitted, and it was unnecessary to make provision on that subject. In my argument the other day, on another Constitutional question, I referred to the fact that deputies have no rights to seats here except by this Constitution; the Constitution provides who shall sit here and who shall not sit here, so that there is a very great difference between the right of a Bishop to sit in this Convention and the right of a deputy to sit here. The Bishops sit here by virtue of their office; it is assumed that they have the right; but the clerical deputies and the lay deputies have no right to sit here except as is expressly provided for in the Constitution, and nobody else has a right to sit here or to exercise any influence as a lay or clerical member unless by the express provision of this Constitution. So I think the difficulty raised by my learned friend from South Carolina is met by this simple consideration that Missionary Bishops and Assistant Bishops of any kind are provided for by Canon, because Bishops as Bishops, have a right to sit wherever this Church congregates; I care not where. In that view it seems to me very clear that there is no Constitutional objection to the passing of this Canon.

Mr. RUGGLES, of New York. The gentleman from North Carolina has urged almost precisely the

same constitutional view which I intended to present if I had been able to obtain the floor, as I attempted to do, when he rose. I will merely add, in support of his argument, that the difference between these two Houses is very great. This is a numerical House, in which the ratio of representation is fixed. The other House is not numerical, and therefore there is no alteration in the ratio of votes. The Bishops have a right to add as many as they please to their number. If they choose to dilute their body it is no concern of ours. We are here by numerical ratio. The construction of the two Houses is essentially different. I see no objection to the proposed alteration of the Canon.

The Rev. Mr. FARRINGTON, of New Jersey. I wish to urge the amendment offered by the reverend deputy from Pennsylvania. It seems to me that if this relief asked for is to be given, it should be hedged around in a peculiar manner. This Canon provides for the election of an Assistant Bishop in an overgrown or large diocese where the Bishop is not infirm or is not unequal to his duties by old age. Let this relief be given in these special cases, if you please, but let there be peculiar legislation, let it be hedged around, let it require, as is proposed, two thirds of the General Convention, or two thirds of the Bishops, and two thirds of the Standing Committees of all the dioceses. I think if this amendment be adopted, we may safely pass the Canon.

The Rev. Dr. LYMAN, of California. I think it ought to be observed by this House that this is altogether a provisional measure. It is not contemplated by the Committee on Canons that it shall be permanent in its action. An alteration in the Constitution has already been proposed, by which, three years hence, when that article has been ratified, the difficulties we are now struggling to meet will be removed. We may then divide our dioceses in a constitutional way. It must be apparent to the House that when the proposition brought forward by the Conventions of California and Texas was presented to the notice of the House, constitutional difficulties were at once raised. We were unable to get the relief in the way we wished to obtain it, and therefore the Committee on Canons came forward and presented the measure which is now before the House, as the only possible measure of relief. I would have members bear in mind that, if they reject this proposition, there is no possible mode of relief for these great dioceses for three years to come, and the very life of the Church in those districts is at stake.

The Rev. Dr. McNAMARA, of Nebraska. I yield to no man on this floor in a desire for doing the Church's work, and especially in these large dioceses and missionary districts. Every word that I have said on this floor during this Convention, has been in that direction—the extension, the prosperity, and the peace of this Church. But, sir, I am opposed to the unlimited extension of power for the multiplication of Assistant Bishops. I agree fully with the deputy from Wisconsin, that this is dangerous,

that the plea can be brought in, that for the reason of extent of territory Assistant Bishops should be had; but the consent of the General Convention, as the gentleman who reported the Canon says, stands in the way, and therefore it may veto or it may allow. Consequently, every time we shall come here for confirmation or rejection, it will lead to great discussion. Now, can we not trust the Church, the different standing Committees, and the different Bishops, whether this extent of territory shall be sufficient ground? I think so.

I tell you, sir,—and with all humility let me express it—that the signs of the times indicate a great increase of the Episcopate, and in the direction of those stirring young men who are for infinitesimal division, and for extending the Episcopate in the direction of permission to many of the vagaries which this Convention has been discussing the past three or four days. I trust that the members of this Convention, those who are representing the different dioceses, will look at this matter seriously. We shall provide for the extension of the Church; that is the Church's business; but the consent of two thirds of the Standing Committees, and of two thirds of the Bishops, should be had, and will be had in every case where it shall be deemed necessary.

The Rev. Mr. DUNLOP, of Missouri. There is, undoubtedly, no more crying need in the Church's present than the increase of the Episcopate. It would be very easy to show that all over the land the Church has grown in direct proportion to the smallness of the dioceses, other things being equal. But let us increase the Episcopate in a constitutional way. Let us remember one or two facts that the learned deputy from Wisconsin put forward, which I think were not sufficiently appreciated by the House. That there is great need of more Episcopal oversight in Texas and California is a most plain and patent fact; but do gentlemen remember that there are twice as many people in Illinois who can receive no Episcopal oversight, simply because a man cannot be in two places at once? Do gentlemen remember that there are two millions of people in that vast State who know no more about the Church than if they lived in China, and could be brought to a knowledge of the Church if we had three or four more Bishops in that vast jurisdiction? There are in Missouri a million of people (more than the entire population of Texas or California), who cannot be reached; although that diocese is administered by one of the most active and far-sighted Bishops in the land, but no man can be all over an immense jurisdiction once every year. Therefore, if the relief be given, we need relief for as many as thirty dioceses at present. A man is not a Bishop over 100,000 square miles, but he is Bishop over a million or two millions or three millions of men. It is not land but men that he is consecrated to govern, and if the relief be given let us look at all the facts of the case. We shall have to appoint Assistant Bishops all over the country, and I think every thoughtful man in this House, whatever ideas he may entertain on the Episcopate, of the Di-

vine origin of the ministry, has by this time come to the conclusion that Assistant Bishops are not of Divine appointment.

The PRESIDENT. The question is on the amendment of the Deputy from Pennsylvania.

Rev. Dr. MEAD, of Connecticut. I hope that this proposed Canon will pass as amended. We have had an earnest petition from Texas and California with immense territorial limits, yet in two separate dioceses, for aid. Constitutionally there is no other mode of giving them the aid, in my opinion, than that which is now provided, and what is the objection? Some say it is multiplying Bishops too much. We have just passed an amendment to the Constitution by which, I am free to say, we can have ten Bishops in Connecticut in the course of a short time, if we want them, and here is a wide-spread territory, and gentlemen are picking out little technicalities, endeavoring to keep Episcopal supervision from the whole of that territory. We are working their Bishops to death, and now they come and ask for assistance, and shall we refuse it? Brethren, let me ask you to look at the condition of the Church in 1835.

There was a State at that time applying for admission as a diocese into union with us. It had one deacon and two laymen to constitute the Convention. We, of course, had to refuse that. But what is the condition of that diocese (Indiana) now? In 1835 we sent out our first Missionary Bishop, and I ask you to put the question to yourselves, if we had not thus risen under the influence of the Holy Spirit to that small sense of our duty to the Church and the world, do you believe such a body of men could be found in this House as are here today? I tell you, no; it could not have been. And now, when here are dioceses too large for one, two, four, or a dozen Bishops to superintend, as they will soon be, and when they come and ask for relief, are we on mere trivial technicalities to say to them: "Go home and take care of yourselves?" God forbid. Remember the Church before 1835; remember what the Missionary Episcopate then established has done, and then lay your hands on your hearts and ask if you can vote down this important measure.

The Rev. Mr. EGAR, of Pittsburgh. I do not know that I shall vote in favor of the proposed Canon; but it seems to me that some proviso ought to be inserted, if it pass, which will facilitate the division at the proper time of a diocese which has an Assistant Bishop by reason of the largeness of its territory; and, therefore, I move as an addition to the amendment of the deputy from Pennsylvania the following proviso:

Provided, That no Assistant Bishop shall have a seat in the House of Bishops when the Bishop of the diocese is able to be present.

The PRESIDENT. That amendment is not in order because there are already two amendments before the House.

The Rev. Mr. EGAR, of Pittsburgh. I move it as a substitute.

The PRESIDENT. The question then is on the substitute moved by the gentleman from Pittsburgh.

The Rev. Dr. HARE, of Pennsylvania. This is a different question as I understand, and, therefore, the rule that a member may not speak but once does not apply.

The PRESIDENT. It does not apply, but I do not think we have any constitutional right to receive that amendment.

The Rev. Dr. HARE, of Pennsylvania. I think we plainly have not.

The PRESIDENT. We cannot receive the amendment of the gentleman from Pittsburgh. I decide it to be out of order. The question is on the amendment of the deputy from Pennsylvania (The Rev. Dr. Goodwin).

The amendment was agreed to.

The PRESIDENT. The question now is on the resolution reported by the Committee on Canons as amended.

The resolution as amended was adopted.

ASSISTANT BISHOP FOR TEXAS.

The Rev. Mr. ROGERS, of Texas. Mr. President, it is necessary now that the Diocese of Texas should have the consent of this Convention to proceed in its election of an Assistant Bishop. It memorializes this body by its proper authorities as follows:

"The Diocese of Texas by its duly authorized representatives, the Bishop and clerical and lay deputies of said diocese, does hereby memorialize and petition the General Convention of the Protestant Episcopal Church as follows to wit: That said diocese may, because of its great extent of territory, be allowed to proceed to the election of an Assistant Bishop, therefor, *provided* said diocese, with the consent of the Bishop thereof, shall, by a three fourths vote of its Council duly convened, decide such election desirable and proceed therein, the said diocese hereby asking the consent of said General Convention to said election."

Then I propose the following resolution:

Resolved (the House of Bishops concurring), That the prayer of the memorial of the diocese of Texas asking the consent of the General Convention for the election of an Assistant Bishop therefor, be and is hereby granted according to the terms of said memorial, and that the Convention does hereby consent to such an election as provided for in Section 5, Canon 13, Title I., of the Digest.

The Rev. Dr. WILLIAMS, of Georgia. I rise to a question of order. Can that be received at this stage? You have just amended the Canon requiring a two thirds vote. It must go to the House of Bishops and be adopted there before we can receive the resolution.

The PRESIDENT. That is true.

DISSOLUTION OF PASTORAL CONNECTION.

On motion of the Rev. Dr. Howe, of Pennsylvania, the house proceeded to consider the following report, heretofore submitted by him:

The Committee on Canons, to whom it was referred to consider and report such modifications of Canon 4, Title II., entitled "Of dissolution of a pastoral connection" as may remove any apparent ambiguity in its terms, and also to inquire whether there be any conflict between the Office of Institution and the Canons above referred to, respectfully report that they have considered the subject referred to them, and recommend the adoption of the following resolution:

Resolved (the House of Bishops concurring), That, Canon 4 of Title II., be hereby amended so as to read as follows:

CANON IV.

Of Differences Between Ministers and their Congregations, and of the Dissolution of a Pastoral Connection.

§ I. In case of a controversy between any Rector or Assistant Minister of any Church or Parish and the vestry or congregation of such Church or Parish which cannot be settled by themselves, the parties, or either of them, may make application to the Bishop of the Diocese, who shall thereupon notify each of the contesting parties to furnish him with the names of three Presbyters of the Diocese. The Bishop shall add to them the names of three other Presbyters, and the whole number shall then be reduced to five by striking off the names alternately by each of the contesting parties. Should either party refuse or neglect to name three Presbyters or to strike from the list as aforesaid, the Bishop shall act for the parties so refusing or neglecting. And in all the proceedings aforesaid the vestry or congregation, as the case may be, shall be represented by some layman of their number duly selected by them for the purpose.

§ II. The Bishop and the five Presbyters thus designated shall constitute a Board of Reference to consider such controversy, and if after hearing such allegations and proofs as the parties may submit, the Bishop and a majority of the Presbyters shall be of opinion that there is no hope of a favorable termination of such controversy, and that a dissolution of the connection between such Rector or Assistant Minister and his Parish or congregation, is necessary to restore the peace of the Church and promote its prosperity, the Bishop and such Presbyters shall recommend to such Minister to relinquish his connection with that Church or Parish, on such conditions as may appear to them proper and reasonable.

§ III. If any Rector or Assistant Minister shall refuse to comply with the recommendation of the Bishop and Presbyters, the Bishop shall proceed, according to the Canons of this Church, to suspend him from the exercise of any ministerial functions within the Diocese until he shall return his refusal, or if the Vestry or congregation shall refuse to comply with any such recommendation, they shall not be allowed representation in the Diocesan Convention until they shall have retracted their refusal.

§ IV. When there is no Bishop, the President of the Standing Committee of the Diocese shall per-

form all the duties herein allotted to the Bishop: *provided* that he shall not exercise any power under the preceding third section without the aid and consent of some Bishop of the Church.

§ V. The preceding sections of this Canon shall not be obligatory upon any diocese which has made, or shall hereafter make provision by Canon, upon this subject.

§ VI. In case a minister, who has been regularly instituted and settled in a parish or church, be dismissed by such parish or church without the concurrence of the Ecclesiastical Authority of the diocese, the vestry or congregation of such parish or church shall have no right to a representation in the Convention of the Diocese until they have made such satisfaction as the Convention may require. But the minister thus dismissed shall retain his right to a seat in the Convention, subject to the approval of the ecclesiastical authority of the diocese. And no minister shall leave his congregation against their will, without the concurrence of the ecclesiastical authority aforesaid; and if he shall leave them without such concurrence, he shall not be allowed to take his seat in any Convention of this Church, or be eligible into any Church or parish until he shall have made such satisfaction as the ecclesiastical authority of the diocese may require; but the vestry or congregation of such parish or church shall not be thereby deprived of its right to a representation in the convention of the diocese.

§ VII. In case of the regular and canonical dissolution of the connection between a minister and his congregation, the Bishop, or, if there be no Bishop, the Standing Committee, shall direct the Secretary of the Convention to record the same. But if the dissolution of the connection between a minister and his congregation be not regular or canonical, the Bishop or Standing Committee, shall lay the same before the Convention of the diocese in order that the above mentioned penalties may take effect.

§ VIII. This Canon shall not be obligatory in those dioceses with whose Canon laws or charter it may interfere.

The Rev. Dr. HOWE, of Pennsylvania. This matter was referred to the Committee on Canons, on the question "Whether Canon 4, of Title II., which concerns the dissolution of a pastoral connection, conflicts in any wise with the Institution Office." In answering this question, I have to say that the Institution Office was adopted by the Church in 1804; that simultaneously with the adoption of that Office, there were passed two Canons, one entitled "Of differences between ministers and their congregations," and the other entitled, "Of the dissolution of a pastoral connection." The three were related to one another. The two Canons expound and conform to the Institution Office. But in 1859, the Canon "Of differences between ministers and their congregations" was hastily, and, I think I may say, somewhat inadvertently, repealed, leaving us simply with the Institution Office, and Canon 4 of Title II., "Of the dissolution of a pastoral connection." This Canon 4 of Title II. provides that when a congregation undertakes to dismiss a settled minister without

proper recourse to the Ecclesiastical Authority, they shall be deprived of a seat in Convention. Observe the expression: if they do this "without the consent of the Bishop, they shall be deprived of a seat in convention"; or the clergyman, if he undertakes to dissolve the connection without the consent of the Bishop, shall incur some penalty, no matter now what it is.

In the Institution Office, in the letter of Institution, it is said, as to the pastoral connection thus created by Institution, that if there be difference between the parties, the propriety of its dissolution shall be adjudged in this wise: "We, your Bishop, with the advice of our presbyters, shall be the ultimate arbiter and judge," bringing in the presbyters as well as the Bishop. It has occurred time and again that when there has been discontent between a parish and its minister, there has been action by the parish, an appeal to the Bishop, an immediate decision on the part of the Bishop, and the dissolution of the connection pronounced without the party implicated having any opportunity of appearing and showing reason why such disposal should not be made of his case. This Canon supplies that want.

If the House require any further explanation of the character of this Canon, I shall be glad to give it; but if they are prepared to act upon it now, I move that, with the concurrence of the House of Bishops, it be adopted.

The Rev. Dr. CADY, of New York. I am not prepared to vote on this matter now. I should like to look at the Canon in the columns of THE CHURCHMAN.

Mr. MEADS, of Albany. It seems to me that this is a very important Canon which has been presented. All the members in this part of the House have heard it very imperfectly, and it seems to me we cannot at this time be prepared to act upon it. I hope it will not be pressed now until we have a better opportunity of knowing what it is. I move to lay it on the table.

The Rev. Dr. CADY, of New York. I suggest that the consideration of the Canon be made the order of the day for to-morrow morning, at any hour agreeable to the gentleman from Pennsylvania. I am not prepared to vote on such a Canon without some examination.

The Rev. Dr. HOWE, of Pennsylvania. If the House desire it, I will set forth in what particulars it differs from the Canon which prevailed in this Church from 1804 to 1859. That constituted the Bishop and all the presbyters of the diocese the tribunal before whom such differences should be heard.

Mr. MEADS, of Albany. I made a motion to lay on the table.

The motion was not agreed to.

The Rev. Dr. CADY, of New York. Now my motion is in order, that this Canon be printed, and made the order of the day for to-morrow at ten o'clock.

The Rev. Dr. HARE, of Pennsylvania. It will devolve upon somebody else to explain it then.

The Rev. Dr. MEAD, of Connecticut. That virtually is killing the Canon. I do not think we shall have a quorum here to-morrow at 10 o'clock.

The Rev. Dr. HOWE, of Pennsylvania. Some

such Canon is desperately needed not only for congregations, but for the protection of the clergy. I was making a statement when I was interrupted as to the difference between this Canon and the Canon which prevailed in this Church from 1804 to 1859. The Canon "Of differences between ministers and their congregations" as enacted in 1804, and continued to 1859, provided that when differences occurred which they could not settle among themselves, they should apply to the Bishop and he should convene all the presbyters of the diocese. That did very well in 1804; but when we come to have 200 or 300 presbyters in a diocese, it becomes an unwieldy tribunal. This Canon provides that there shall be nine presbyters selected, three by the minister who is in question, three by the vestry or congregation in question, three by the Bishop, and then four shall be stricken off, two by the representative of the vestry or congregation, and two by the minister, leaving a tribunal of five. They may strike off those that the Bishop suggests or they may strike off those that the other party suggests. The tribunal is to be reduced to five, and when it is reduced to five, the case is heard in all its particulars before the Bishop and the five presbyters, and the decision is a concurrent one. That is all I have to say.

Mr. WELSH, of Pennsylvania. I think we had better act on this now. Surely when a Canon has been prepared by our Committee on Canons with the utmost care, much time taken to it, when it was read in this Church yesterday, when notice was given that it would be discussed last night at 8 o'clock, and was thrust out by the ritual question, we cannot now say that this is sprung upon us suddenly. The Committee on Canons have evidently guarded the rights of presbyters thoroughly; they were compelled to do it by the Institution Office, and I think all the laymen on this floor will see that as far as they could, they have guarded the rights of the congregation. It seems to me to be drawn up with exceeding great wisdom, exceeding great care, and I doubt whether there will be any permanent difficulties after this Canon is adopted.

Mr. CORNWALL, of Kentucky. I have very little to say, except to express my approbation of the Canon; but I wish to move an amendment, the insertion of one word to make it a little more complete, so as to apply to every rector, associate, or assistant. I move to insert the word "associate" between the words "rector" and "assistant" where they occur in the Canon, in order that our legislation may be complete.

The Rev. Dr. HAIGHT, of New York. There is no such office as associate rector in this Church.

Mr. CORNWALL, of Kentucky. By custom there is such an office. The Canon will be incomplete if it does not provide for a state of things that exists in the Church, whether by Canon or custom.

The Rev. Dr. RICHEY, of Minnesota. I hope the motion to carry this Canon will not pass. It is a very grave question whether our whole ecclesiastical law on this matter is not directly in the face of the civil law. I hold, with regard to the Office of Institution, to which reference has been

made, that so far as any legal obligation is concerned, it is of no value in the world; and it has already been passed upon in the State of New York, and decided that the Office of Institution is of no legal obligation, and will not be received in any court of the United States.

Regarding all the provisions of this Canon, guard it as you may, I think it is a confounding of two things which are fundamentally distinct. The Church has the right, so far as ecclesiastical penalties are concerned, to deal with all questions of this kind; but I hold that the Church has no right to interfere with any civil contract, and she cannot interfere with that civil contract without going into the domain of the State. I am therefore opposed to the Canon *in toto*, as a violation of a fundamental principle of both civil and ecclesiastical law.

I hold it to be a fundamental principle, that so long as any clergyman is capable, under the laws of the Church, of exercising the functions of his office, until he is tried and until he is condemned, this Church has no right, and cannot, under the civil enactments of this country, interfere with the contract that has been made between the vestry and him; and it has been ruled over and again in the courts of this country, that it is a perpetual contract, a contract which cannot be annulled except for cause; and the only cause which the State allows is because the man is not fit to discharge the duties for which that vestry entered into a contract with him.

Now, sir, I do hope, and I put it to the chairman of this committee, that we shall not be asked at this time to go prematurely into a question like this, but that the request of the deputy from New York will be allowed, that this Canon will be printed and put into the hands of the members of this House; and I ask every clerical member of this House to consider what is about to be done, holding as I do that it is a fundamental error for the Church to attempt to interfere with a civil obligation, and that no court in this country will allow it.

Mr. KING, of Long Island. Whilst having very grave doubts of the legal effect of the Canon, I yet put it to the consciences of both rectors and vestries, whether they will not abide by such a law as this when passed by the Church.

Mr. HOWE, of Indiana. So far as the question to which the reverend deputy referred a moment ago, as to the illegality or invalidity of such an enactment, as it respects contracts between clergymen and their congregations, is concerned, I think there can be no difficulty whatever, because the Canon must, as a matter of course, have a prospective effect and not a retrospective operation. It cannot, of course, operate upon existing contracts between minister and people. It will operate as to future contracts, and will become incorporated into the contract in every case that occurs hereafter. As to past contracts, there can be no difficulty; those, of course, cannot be affected. But inasmuch as this is an exceedingly important matter, important because it enters into the business of almost every member here, a matter in which he must be personally interested, I, for one, am not willing to vote upon the Canon until I have had a little time

to consider it. I am inclined to think that it may be a very good Canon; I think it very probable that I shall vote for it when I thoroughly understand it; but at present I move that it be postponed to a day certain, namely, to-morrow at ten o'clock.

The PRESIDENT. That motion is already before the House, together with a motion to print.

Mr. HOWE, of Indiana. Very good then. I second that motion.

Mr. BRUNE, of Maryland. I take the liberty of saying a word. It seems to me that it is entirely unimportant for us to discuss the grave question raised by my friend from Minnesota as to the power of this House to pass upon this kind of question as affecting the rights of the rector and his vestry. There may be a great deal in what he said; but as I understood the learned and reverend deputy who reported this Canon, it is simply a Canon of relief, a most necessary Canon if the power exists, because under the present Canon it is necessary to summon in each diocese 200 or 300 presbyters to pass upon the question.

The Rev. Dr. HOWE, of Pennsylvania. No, sir, we had a Canon until 1859, and then that Canon was repealed and none put in its place, and the legislation of the Church is left incomplete.

Mr. BRUNE, of Maryland. Then the existing Canon is ineffectual. We cannot hear in this part of the House very well what passes. It is still an ineffectual Canon under the present condition. The purpose of the report is simply to make the Canon effectual. It does not confer any new power; it only makes it a working Canon if the power exists; and therefore I think, as this report comes from a very wise gentleman and a careful committee, we ought to pass the Canon without going into the question of the power of this Convention to prescribe laws on this subject, and how far they may interfere with the civil law, and how far, if they do interfere with the civil law, they can be enforced. That is a very grave question. But as I understand this Canon, it is simply a question of relief to make the present Canon effectual if there is the power; and according to what has occurred in this State, and I presume it will occur elsewhere, there will be inquiries as to how any difficulties between a vestry and rector can be settled without going into the Courts of justice.

The Rev. Dr. HARE, of Pennsylvania. Mr. President, I am exceedingly desirous that the vote should be taken on the proposed Canon to-day, because I believe that if it is not taken to-day, it is in great danger of not being taken at all; and because on the other hand, the passage of some change in the present Canon is absolutely necessary to secure the rights of clergymen, the rights guaranteed to them by the Office of Institution; for according to that Office, as has been said, when a difficulty arises between a vestry or congregation and the minister, "We, your Bishop, with the advice of our presbyters, are to be the ultimate arbiter and judge." The Bishop cannot act against the presbyter, according to the Office of Institution, except he have in his favor the advice of his presbyters, the peers of the minister whom the congregation proposes to displace. But according to our later legislation it might seem as if this protection of the

rights of clergymen were done away with. To be sure, no Canon could do away with what is secured to clergymen by the Book of Common Prayer or its adjuncts, but it may seem to do away with these rights. I could mention a case in which it unquestionably has so seemed, because the Canon as it runs at present reads: "In case a minister, who has been regularly instituted or settled in a parish or church, be dismissed by such parish or church without the concurrence of the Ecclesiastical Authority of the diocese." That is the only concurrence required by the Canon,—the concurrence of the Bishop. The rector is at the mercy of his Bishop. His peers have no voice in the matter. Since rights of clergymen are concerned, since the authority of an adjunct of the Book of Common Prayer is concerned, since if we are to put off this matter now, we are likely to put it off entirely, I do trust that the Convention will come to this question at once.

The Rev. Mr. FARRINGTON, of New Jersey. Allow me to ask a question: Suppose the Institution Office is not used, does it still bind the clergyman in that case?

The Rev. Dr. HARE, of Pennsylvania. The principles of the Institution Office certainly do.

Mr. HUNTINGTON, of Connecticut. I have an objection to the proposed Canon which I will state in a very few words. I object to the proposed court that it is not organized in such a manner as to give the parties a fair trial. If you will organize the Court so that the parish shall have the liberty of nominating three laymen, and then provide for reducing the whole number selected to three presbyters, I shall be content with the Canon.

Mr. WELSH, of Pennsylvania. That would be contrary to the Office of Institution, I think. I look out for the rights of the laity as sharply as I can; but this is the best we can do. The Office of Institution binds us.

The proposed Canon was adopted.

RESTORATION OF MINISTERS.

The Rev. Dr. Vinton, of Massachusetts, presented the following report:

The Committee on Canons, to whom was referred the subject of the restoration of deposed ministers, respectfully report that they have considered the subject, and recommend the passage of the following resolutions:

Resolved (the House of Bishops concurring), That the subjoined Canon be enacted as follows:

CANON —. *Of Restoration to the Ministry.*

§ I. If any minister of this Church, having renounced the ministry, or having been deposed under the provisions of Canon 5, Title II., or having been deposed on presentment and trial for any canonical offence, and having submitted to such deposition, shall desire restoration to the ministry of this Church, he may address a memorial to the Bishop of the Church of the diocese in which he resides, expressing his desire, and promising conformity to the doctrine, discipline, and worship of this Church; whereupon the Bishop to

whom such memorial shall be addressed (together with two Bishops to be selected by him by lot, for that purpose, from the six nearest Bishops), and by and with the advice and consent of the Standing Committee of the diocese, shall fully investigate all the facts connected with the case of the memorialist; and the Bishop shall have power, with the approbation of one or both of the Bishops assisting him in the case, and by and with the advice and consent of the aforementioned Standing Committee, to restore the memorialist to the ministry of this Church, if he and they are satisfied that such restoration will be to the glory of God and the edifying of the Church.

§ II. If any minister of this Church, having abandoned the communion of this Church, and having been deposed from the ministry for any cause, except crime or immorality, under the provisions of any Canon, shall desire restoration, he may address a memorial to the Bishop of the Church in the diocese wherein he resides, in which memorial he shall express such his desire, accompanied by a statement that he has abandoned the ministry or communion of any other Church or Society to which he may have attached himself, from an honest conviction of the errors in doctrine or discipline of such Church or Society, and also all doctrine, discipline, and worship inconsistent with those of the Protestant Episcopal Church in the United States; and that for the space of three years immediately preceding his memorial, he has been living in lay communion with the Protestant Episcopal Church, so whose ministry he now asks restoration; whereupon, the Bishop to whom such memorial shall be addressed may proceed in the manner provided in the first section of this Canon, and, with the advice and consent therein provided, may restore the memorialist to the ministry.

Resolved (the House of Bishops concurring), That the second proviso in Section 2 of Canon 6 of Title II., be, and the same is, hereby repealed.

The PRESIDENT. The time has come for the order of the day.

The Rev. Dr. CLARK, of New Jersey. I move that it be suspended until this matter is disposed of.

The Rev. Dr. VINTON, of Massachusetts. In a very few minutes I can make this case plain.

The PRESIDENT. It is moved to suspend the order of the day until this report is disposed of.

The motion was put, and declared to be agreed to.

The Rev. Dr. VINTON, of Massachusetts. There are now two Canons, one "On the renunciation of the ministry," and the other "On the abandonment of the Communion of this Church by a presbyter or deacon." In the case of an abandonment of the Communion of this Church by a presbyter or deacon, there is provision made for his restoration to the ministry, but in the case of a renunciation of the ministry by any minister of this Church, there is no provision made for his restoration. Now it seems no more than fair that these two subjects should have an even-handed treatment.

The Rev. Dr. ANDREWS, of Virginia. I rise to a point of order. I submit that the motion just made suspending the order of the day which

was declared to be agreed to, required a two thirds vote. I call again for the question on the suspension of the rule of order, that we may know whether it received a two thirds vote or not.

The Rev. Dr. VINTON, of Massachusetts. Then I will simply submit the Canon, and gentlemen may get as good information upon it as they can as to the meaning of it by reading it in the newspaper in the morning and comparing it with the Canon as it now stands on our books. That will save me the trouble of explanation.

The PRESIDENT. The time has come for taking up the order of the day which is the Canon on Ritual.

MESSAGES FROM HOUSE OF BISHOPS.

A message (No. 58) was received from the House of Bishops, announcing the concurrence of that House in message No. 44 from the House of Clerical and Lay Deputies, finally agreeing upon and ratifying the proposed alteration of Article V. of the Constitution; that it also concurred in message No. 45, from the House of Clerical and Lay Deputies adopting the Canon "Of the Board of Missions;" in message No. 45, relating to contributions for sufferers by fire in the Dioceses of Michigan and Wisconsin; in message No. 47, amending Article IV. of the Constitution; in message No. 48, amending Clause 3 of Section II of Canon 1 of Title III, as to the duties of the Registrar; and in message No. 52, confirming trustees of the General Theological Seminary.

A message (No. 59) from the House of Bishops was received, announcing the passage by that House of the following resolution:

Resolved, That this House concurs with the House of Clerical and Lay Deputies in the appointment of a Joint Committee on the subject of deaconesses as indicated in its message No. 53, and that it has appointed as members of such joint committee on the part of this House, the Bishop of New York, the Bishop of Alabama, and the Bishop of Long Island.

A message (No. 60) was received from the House of Bishops, announcing the passage by that House of the following resolution:

Resolved, That this House does not concur in message No. 56, from the House of Clerical and Lay Deputies proposing a joint committee on the subject of special courses of theological and other studies with additional examinations, etc., for the reason that in its judgment adequate provision is made by the Canons of this Church for theological education.

A message (No. 61) was received from the House of Bishops, announcing its concurrence in message No. 58, from the House of Clerical and Lay Deputies approving the action of the Board of Missions in certain additions to Article IX. of the Constitution of that Board.

A message (No. 62) was received from the House of Bishops, announcing that that House had adopted the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That until an authorized version of the Book of Common Prayer in Swedish shall be set forth, it shall be left to the discretion of each diocesan to license the use, in Scandinavian congregations under his charge, of such formularies as

in their vernacular tongue as shall be in harmony with the doctrine, discipline, and worship of this Church.

A message (No. 63) was received from the House of Bishops announcing that that House had passed the following resolution.

Resolved, That this House concurs with the House of Clerical and Lay Deputies in the resolutions communicated in its message No. 54, appointing a joint committee on the care of the stereotype plates of the Prayer Book; and that it appoints as members of said joint committee on the part of this House the Bishop of Rhode Island, the Bishop of Minnesota, and the Bishop of Vermont.

Resolved, That this House concurs in the third resolution of said message, appointing the Rev. Benjamin I. Haight, D.D., LL.D., custodian of said plates.

Resolved, That this House concurs in message No. 60 from the House of Clerical and Lay Deputies concerning a joint committee on Christian Education, and that it appoints as members of such joint committee on the part of this House the Bishop of Mississippi, the Bishop of Pittsburgh, the Bishop of New Hampshire, the Bishop of Michigan, and the Bishop of Wisconsin.

Resolved, That this House concurs in message No. 61 from the House of Clerical and Lay Deputies concerning a joint committee on the republication of the early journals, and appoint as members of such joint committee on the part of this House the Bishop of New York, the Bishop of Connecticut, and the Bishop of New Jersey.

A message (No. 64) from the House of Bishops announced that that House had concurred in the adoption of the resolution communicated to it in message No. 38 from the House of Clerical and Lay Deputies, appended to the report of the Joint Committee on the German Prayer Book.

RITUAL UNIFORMITY.

Mr. WELSH, of Pennsylvania. Touching the debate on the question of ritual, I move that all further speeches be restricted to ten minutes save only the speech on behalf of the committee at the close, and that no member be allowed to speak more than once on the subject.

Rev. Dr. BABCOCK, of Massachusetts. That does not seem quite fair.

The Rev. Mr. McKIM, of Delaware. It seems to be necessary to the peace of the Church that we should have full and thorough discussion and ventilation of this subject of ritualism. I hope the motion will not pass.

The Rev. Dr. McNAMARA, of Nebraska. I wish to say that the newspapers concentrate and abbreviate very much the long speeches which are made in this House; we get the whole gist of their argument in the papers, and I maintain that any man can say on the floor of this House, in five minutes, everything that is essential on this matter. I give notice that if this is voted down, at 2 o'clock to-day I will move a suspension of the rules to this effect, that after that no member shall speak more than once, and only for ten minutes at a time on the subject. I thought it would be better to put it at 2 o'clock to-day, so as to give gentlemen on the other side some opportunity; but if the House is prepared for it now, I think it would be better.

The Rev. Mr. HUNTINGTON, of Mississippi. There is a school of Churchmanship that has not yet been represented in this debate. There is something I cannot say in five minutes, and I ask to be heard. ["Ten."] I cannot say it in ten minutes.

The Rev. Dr. BURGESS, of Massachusetts. I move the following amendment:

Resolved, That in the discussion of the Canon of ritual and its amendments, after the close with the address of the deputy who now is on the floor, the speeches shall be limited to fifteen minutes each, and no deputy shall speak more than once: *provided*, that this limitation shall not apply to the concluding speech by the chairman of the committee reporting the Canon, or of such deputy as that committee may select to close the debate.

The Rev. Mr. EGAR, of Pittsburgh. I rise to a point of order. I suggest that such a motion cannot be received, because it is not enumerated in the rules of order as one of the motions which can be received when a question is under consideration.

The PRESIDENT. The motion was understood to be to suspend the rules in order to pass this motion. That is the motion made.

Mr. JUDD, of Illinois. It requires two thirds?

The PRESIDENT. Yes, sir.

Mr. JUDD, of Illinois. I hope there will be fair play in this thing.

The Rev. Dr. SPALDING, of Wisconsin. We propose to have all sides heard fully if it takes to next Christmas. [Laughter.]

The PRESIDENT. The question is on suspending the rules in order to receive a motion limiting debate.

The motion was not agreed to.

The PRESIDENT. The Canon on Ritual, reported by the Joint Committee is now before the House.

The Rev. Dr. SCHENCK, of Long Island. It must be a matter of very great congratulation, I think, to us all, Mr. President, that this debate, which involves necessarily so much of warm feeling and so much of prejudice, has been conducted with such a spirit of moderation and of conciliation as certainly to furnish us, in turning our backs upon the General Convention and going to our homes, with the very pleasing memory of having listened to a discussion which enlisted the largest measure of ability and which at the same time was characterized by the sweetest Christian spirit. Of course we have had displays of passion and of prejudice; but at the same time they have been in measure so small that they are scarcely worthy of consideration. It has all been in that beautiful spirit of conciliation which is one of the important elements of our Church character,—an element of character which she has imbibed from that blessed Gospel which she accepts the office of administering to the world,—that sweet spirit of conciliation in which we stand, and in which we can only stand, related in an ascending relation to our blessed Master and in which only we should ever attempt to administer the Church of which He is the Head.

It cannot be ignored (no matter how persons who have engaged in the debate may at times have felt disposed to institute unfavorable contrast), that the question before us is one of the most important, if not the most important, that has ever been subjected to the consideration of this body. Gentlemen claim that

questions of missionary work, that questions which are connected with the immediate cure of souls and the culture of Christian character are those which should have precedence before this body and occupy the great majority of its time. But the truth that we propose to preach is the truth that is first pure and then peaceable, and, in giving it forth to the world as members of a Church that has such an awful responsibility of office and station, it is our duty to see that we give forth "the faith which was once delivered to the saints," and that we present it through those conduits which will not contaminate it ere it reaches those for whom it is intended. Therefore we come to the consideration of this subject, feeling that it is not a mere matter of genuflection, that it is not a mere matter of the ordering of the routine of Church ceremonial; but that it is a question which in its every aspect exhibits great principles, and which in its every application involves matters of taste and of feeling and of positive religious experience. It will not do, therefore, for us to be silenced by the glosses that are thrown over this subject. It will not do for us to speak of the minute amount of Ritualism that is in the Church; it will not do for us to be beguiled from the great issue that is before us, by the assertion that the matter of Ritualism is at present quite inconsiderable in its measure and in its growth. I can point you, almost, from the summit of that glorious shaft of marble which rises from the heights of Baltimore to a stream that has its source in one of the eastern spurs of this mountain range, and that flowing seaward through the beautiful ravines and skirting the city of Baltimore empties itself in the broad bosom of the Chesapeake—a stream which is so beautiful in its windings where the lover of nature and the sportsman are constantly to be found, where you will see the easel of the artist erected for sketching the beautiful ravine and far-reaching water and landscape views,—a river which is enshrined in the sweetest associations with those who live in this particular part of our wide spread country. I have seen it and heard it as it has come winding through the hills and gurgling its sweet music to the ear, and I have admired it for its beauty, and I have admired it for its power as, pent-up for the time, it has driven the great wheels of the manufactories; and I have seen that in its collected character it had a fearful power. And then you have heard of it when the great water-sheds poured watery volumes into these narrow ravines, and when the swollen torrent came down with all the power of a mighty flood, and swept away those manufactories and desolated large regions of country, and lifted houses from their foundations, and swallowed in drowning death numbers of persons who were caught and clasped in its fatal embrace. I can see in this a picture of Ritualism which to the eye of taste and which to the æsthetic mind presents itself in all the beauty of form and of posturing and of color. There is so much of grace and so much of attractiveness and so much of apparent devotion in all these attitudes and in all these spectacular presentations and dramatic performances of the worship of God, that I can readily understand how at first it will have its attractions. But go to places in this country or in England, where it has its power concentrated and presented in full force and vigor; go even to a place within the limits of the diocese of that noble man of God who has been visiting us from the mother Church during the sessions of this Convention, even within his diocese (large and liberal minded and truly Catholic in his spirit and a noble defender of the truth, as he is; and illustrating his character and his piety by works that

will follow him as long as there is a history of the Church extant), there is under his eye a collegiate association familiar doubtless to some of your number, in which there are three priests, each having three acolytes, all having a monkish dress which they parade in public, the priests all wearing their great hob-nailed shoes, with cords around their waists and their crosses hanging to their feet, this peculiar costume worn on all public occasions, each priest pledged to celibacy, all of them regular in the practice of the confessional, each man of them engaged in the performance of the administration of the services of a Church, which is certainly not the Established Church of England, certainly not akin to the Protestant Episcopal Church of the United States.

Here we observe the beautiful little stream resolving itself into a torrent. Here is where death and desolation come. Here is where semblance becomes substance. Here is where only the few graceful foretastes become fatal realities. I think that we may learn that there is a possible application of certain familiar lines of poetry, in Church life, substituting "error" for "vice":

"Error is a monster of such hideous mien,
That to be hated needs but to be seen;
But seen too oft', familiar with its face,
We first endure, then pity, then embrace."

I will not dwell longer upon this aspect of the case. The question before us is whether, in view of the presentation of facts, in view of the ebullition of feeling in view of the demands which have been made upon this body, in view of the action which was taken three years ago, in view of the prompt action of the House of Bishops in sending this Canon for our concurrence, the time has come when any action should be taken on this question. I need not repeat what has already been said on this floor, that the public expectation has been excited from one end of the land to the other, and that this Convention cannot adjourn without such a decisive vote upon this great issue as shall declare to the Church in this country either that the Protestant Episcopal Church is Ritualistic or that it is not. Postponement is equivalent to endorsement in the estimation of everybody in this land; and we are compelled in a true and proper spirit, with great allowance for the wide diversity of tastes, for the peculiarities of practice, for the exigent circumstances under which different gentlemen may be placed, to take such wise and broad action in the premises as shall enable us to go down to our parishes, to go forth not only to the Church in this country, but to the world, distinctly declaring our principles, not our sentiment, not our taste, not our disposition to legislation, but our principles upon this great question that is brought before us. After the debate that has already been entertained, after we have heard so much from representative men from different parts of this Church, after we have had this subject presented to us in so many aspects and phases of consideration, we cannot, we dare not leave it without either giving the *imprimatur* of this Convention to the Canon that is under consideration, or on the contrary by a negative vote declaring that we accept Ritualism, extreme Ritual, as a constituent element in the administration of the Church in this country, or else by non-action separate, half the people thinking we had not moral courage enough to face the issue, and the other half thinking that as we could not carry anything against Ritual, we satisfied ourselves with craven compromises.

We have reached now a point; and therefore I think

that what is to follow in this discussion (for I have not, in the wildest vaults of vanity, the idea that I can illuminate this assembly after the great speeches that have been made on this subject) should be no more than such advisory matters as shall facilitate the result, and bring about clear, prompt, and decisive action upon the question; and I feel that that is what most of us now desire.

We all know full well that the character of this action must, in the first instance, be characterized by fidelity to the truth; and there is no Pilate question to be asked upon this occasion "What is truth." We have it distinctly declared to us in our Standards; we know full well what are the distinctive tenets of the Protestant Episcopal Church.

We are a Church of distinct legislation upon what we hold to be truth; and we accept truth in its concrete forms; and therefore I think we need not dwell further upon this. Fidelity to the truth is the first element which should enter into the action of this body.

And then we must have fidelity to our Catholicity. We claim that we are a Catholic Church. We can have no class legislation here, I do not want to legislate in the interests of any party or of any faction in the Church. I do not wish that any one sentiment should be enthroned. I want to have the broadest generalization in all that we here do, respecting the tastes and feelings of all who are embraced in this wide Catholic Church of ours.

And then we must legislate in charity. I think if there in any one sweet lesson that we have learned here in the deliberations of this body, it has been the lesson of charity. I have felt my heart at times warmed toward those from whom I knew I differed most widely, as they, with an earnestness that could not be feigned, with a fervor and glow of natural eloquence that sprang from the depths of hearts that felt profoundly on this subject, with an air and mien that told me more distinctly than any words they could utter, that they were ready to burn for their ideas; and how can I help but respect such feelings, however variant they may be from my own; how can I help but honor the man who holds his principles so high, I care not how directly my own may clash with his? Let us then learn the blessed lesson of charity and legislate on this subject with fidelity to truth, fidelity to our element of Catholicity, and with fidelity to the great and governing law of Christian charity.

I think there never was a time in the history of this Church when we could legislate so well as at this particular juncture. I think there never was a time in the history of our Church when there was so little party feeling in it as there is at this moment, I do not believe we have any parties in the Church at this particular moment. There are factions in the Church; but the old party lines are obliterated. Those who have been engaged in forays out upon the frontier have been frightened back, and men holding the most widely varying shades of Church sentiment have felt the necessity of acting together upon common ground and uniting upon that great, broad, conservative platform of Church administration which is really, brethren, after all, the glory of our history and the guarantee of our perpetuity. It is there that we meet upon this question; and therefore I said half-jocularly, but with a great deal more meaning than was apparent, when this matter was first introduced, that the minority of this body to be represented on this committee ought to be a representative Ritualist, if such could be found, disposed as I am to respect their princi-

ples and their views believing them to be earnest and honest men.

The old elements of our Church life, of course, still remain to us. As we look out upon the broad field of the Church militant, we the representatives of the old Laudian school observe those who were probably once in association with that accepted mediævalism, that indefinite common law of the Church of which the learned deputy from Illinois (Mr. Judd), has spoken, and which carries us back far into the wandering mazes of the Middle Ages. We have, of course, the old Evangelical element in our Church, and this element, I can only say, is one that in the present constitution of the Church, like the old-fashioned Connecticut High Churchmen, as they used to be called, is moving away from anything like a rigid Puritanical view of Church life, and coming (in accordance with what is the dominant sentiment of the age, and what is its part of a culture, and what is accepted of necessity in accord with the advanced education of the world), to accept more beauty, more ornament, to accept more that is æsthetical, more that brings out man's sentiment of the beautiful. All this sort of thing is accepted on the one side, as well as by those who were the old High Churchmen on the other. When we come to talk together now-a-days, face to face, we find that really the walls which we thought were four feet thick in stone and mortar, are after all only, it may be, paper walls, or if there be walls of separation at all, they are not walls of essential separation; they are walls that men of ordinary stature can step over when needs be; they are walls, at times so beautifully garnished by the vines of charity planted on either side, which grow up and cover the walls with their garniture, and intertwine beautifully, and put forth an efflorescence that makes fragrant the whole line of separation.

So I think that, as we come to consider these matters, we shall find that our thick walls are only invitations to come together; that instead of being the base of sign-posts warning people off these premises, they are so beautiful in their green vesture, and so fragrant, withal, that they rather attract us to each other. This is, I think, accepted to be very much the *esprit* of our Church at the present time. I think there is a fidelity to inherited doctrine, which wavers not in the slightest, but I think that there is a Catholicity and a charity and breadth of view, as well, heretofore unknown in the councils of our Church, and in the general relation of parties to each other.

The question before us to be settled is not the matter of Ritual, for in one sense, we are all Ritualists, but it is the question of extreme Ritual; it is the defining of the boundary of Ritual; it is the problem of how far we can go consistently with the Protestant standards of our Church, and with the use under the Canons of our Church, not "usage," understand, but "use" under the Canons of our Church. This issue has been before us three years for consideration generally; it has been before this body from the beginning of its session for consideration specifically. It has had the concurrent action of the two bodies; selected men have come together and thought over this matter, and prayed over it; and we have all prayed over it and thought over it, if we have been true to the matter in hand. The great, broad issue before us is, whether we shall be faithful to what we call Protestantism (which is only another name for law), or whether we shall go behind it and beyond it, and accept a vague common law in the Church, and act outside of our prescripts. The word "Protestantism" is identical, as

far as this discussion is concerned, with the word law. At the time our Church freed herself from the polluting embraces of the Church of Rome, she enacted specifically the laws of her new life; and, therefore, while it is the pleasure of some to say that Protestantism is a mere negation, I can only say that it is, if a negation, a negation that involves the most positive declarations of what are the principles of her life; what are the matters that she has sloughed off, and what are the new garments she has put on; what is the great office that she proposes to discharge, and what are the truths that she will guard and vindicate to the death. If that be a negation, make the most of it. We have accepted this; we have lived under it; centuries have passed, and we have come down now to this historic age; to this crucial point in the history of the modern Church; to make the assertion before the world whether we are to be true to the standards we erected under the flag of Protestantism, or whether we shall go back beyond Protestantism and accept mediæval usage, and declare that Canon law, and the Articles, and that all statutory enactments of Constitution and Canons are to pass for nought; are to be only secondary; are to be ranked by mediæval usages; are to be covered over and put out of sight by the exhumed *debris* of a long buried past.

Law was defined by the learned deputy from Virginia (Mr. Sheffey), a gentleman who is ordinarily so accurate in all his statements, to be "a rule prescribed by the supreme power in a State." Blackstone defined the principle, and it carried me back to the old times when I was preparing for the Gospel by going through the law—"a rule prescribed by the supreme power in a State, commanding what was to be done and prohibiting what was not to be done." I, of course, would not interrupt the distinguished gentleman, but I did not understand that that is law. A despot can do this. He can command what is to be done and prohibit what is not to be done. But law is "a rule prescribed by the supreme power of a State commanding what is right and prohibiting what is wrong." This places law upon a much higher basis; this lifts it to the position where it is entitled to be enthroned, and takes it out of the power of the despot; it ceases to be an autocratic thing; it becomes a matter of consent; it is revealed as that to which people have made subscription in moral as well as civil compact. This is our law. The life of our Church grows out of this law, declared at the time of our Protestant Reformation, asserting what is right, and prohibiting in this Church what is wrong. This is our ecclesiastical, or Canon law. Every one of its provisions you will find to be classified under the one or the other of these two heads; one half of them what we hold to be right, and the other half prohibitory of what we declare to be wrong. Let us hold that idea of law clearly before us as we come to vote on this subject and as we come to the matter of the Canon which has been submitted to us.

And then there is another idea which has entered very largely into this discussion, either technically or incidentally, either by the use of the word and the declaration of its application, or indirectly by having the idea interwoven in the meshes of argument, and that is the Catholicity idea of the Church. I think there is no work so much abused as this, none under which we are so prone to take cover at times, and yet no word which we are disposed, at other times, more foully to abuse. We claim, of course, to be Catholic in the sense that we carry the Gospel, under the commission of Christ,

to every creature, because we are prepared to go in the person of our agents to the end of the world and declare the Gospel to every creature, and that the Gospel which we bring is one that is truly Catholic in its application. It meets the wants of every man that was ever born into the world; it is a light that shineth to the uttermost parts of the earth and lighteth every man that cometh into the world; and, therefore, a Church must vindicate her Catholicity by administering the Gospel to every man that is in the world, showing that she is prepared for that work; and if she cannot do it she is not a Catholic church. I do not care if she has carried the name all the way down from the primitive councils, I do not care if she has it emblazoned on her banners, if she has it rubricated on the top of every page in her standards. she is not a Catholic Church if she has such organization, such administration, as prevents her from going everywhere with a free Gospel to the souls of men.

Now let us in our legislation see whether we are to vindicate or whether we are to traverse the great element of Catholicity which we have claimed for our church. Let us see how far ritual may go in its application to the wants of the world. We know full well that there is at this time in the administration of the Church in England that exquisite, that glorious cathedral service designed for the great centres, the cathedral towns, the metropolitan and other great cities of the different sections; but we know, after we leave these central points and go into the rural districts there is a simple worship according to the plainest forms set forth in the Prayer Book, and the men who glory are lifted to the raptures of the cathedral service, as I was almost every Sunday while abroad this summer, find at the same time another character of worship fully as sweet but entirely different in the beautiful little rural churches scattered over England. I happened to be one of the six who had the good fortune to witness the opening services in 1867 of the Pan-Anglican Council in Lambeth Palace. There was not one single note of music in that service. There was not one part of that service that could not have been rendered if those Bishops had met that morning in your parlor. It was all perfectly simple because the circumstances of the case seemed to make it right and proper that it should be so; but you might go to any of the cathedrals of those same bishops and you would be borne heavenward and made to feel that there was something in that noble worship which was calculated for a sentiment of man's nature and to which we are all at times entitled. But this is not Ritualism, and here notice the mistake that is constantly made in this country, where we are not familiar with the cathedral service, that when there is a rendering of parts of the service chorally, people fancy it Ritualism. Do let us have clear views on the subject. It is nothing of the kind. I, for one, am prepared to say that I wish there was in every city in this country performed regularly on every Sunday a grand cathedral service. I think we are entitled to it and ought to have it. But this is not Ritualism. Not only so, but let me say that here the catholicity of the Church is manifested in the ordering of these cathedral services and the simple services of the rural churches; but when you leave this regimen and come to give to all our parish-churches under any circumstances, wherever they may be, an extreme Ritual which is not "understood" of the people, which is so complicated with the Ritual of the Church of Rome that men seem to be in a maze, and come in and go out as though they

were not familiar with the old paths of the Church, when men are introduced to a music that is so gorgeous and ornate, that they wonder, as some man said on occasion, how people got in there without having tickets; and you will find that this style of service so exceedingly sensuous, so minute in its ceremonial, so extreme in all its Ritualistic character, can never be adopted to the evangelization of the world; and I claim that the moment you go beyond that moderate Ritual to which we are accustomed, that moment you are striking a blow at the Catholic character and administration of our Church. You cannot carry these things with you, you cannot impress the people with these things except upon rare occasions, or present them to cultivated classes for whom alone the cathedral service is designed.

The matters before us are, in the first place, a motion of indefinite postponement. That motion has been withdrawn. I voted against its withdrawal, for I thought it was not just to this House that a question of indefinite postponement should be held over it here for a day and a half and after so many speeches had been addressed to it, that the mover of it, without giving us any reasons or explanations except to make way for a sudden amendment should be permitted to withdraw it. But it has been done. I only allude to it to say that I do hope, and I appeal to the fairness of this House, that we shall have no parliamentary tactics. I do not mean to allude to this as an instance. I only take it as my text. I impute no motive to the introduction and withdrawal of that motion, but I do hope that we shall have no parliamentary tactics to stave off fair and square action on this subject, that we shall be permitted to walk straight up to the issue, look it in the face and take it by the collar and shake its life out of it, or else throw our arms around it, and embrace it.

The other matter that is presented to us is the motion of my learned friend from Connecticut, the distinguished President of Trinity College (Dr. Jackson), who proposes that we should appoint a Committee and defer the subject for consideration until the next General Convention, when I have no doubt the distinguished deputy would probably be ready with another resolution to defer it until the following Convention. I have only to say that he proposes precisely what already has been done, that we have already had this matter three years ago presented to the House of Bishops and the whole Church has been thinking upon it and awaiting the action that may be taken now, and it seems to me, if my dear friend will pardon me, that it is a poor way of meeting this great question, it is taking it out of this House and throwing it vaguely and indefinitely over the wall. I do not think we can afford to entertain that amendment.

We then come to the matter of the amendment proposed by the clerical deputy from New York, that this question should be a matter of reference to the wisdom of the Bishop.

The Rev. Dr. CADY, of New York. That is withdrawn.

The Rev. Dr. SCHENCK, of Long Island. If that is withdrawn, I shall not, of course, occupy your time by saying what I had to offer upon that point. I did not know it had been withdrawn.

Then we come to the amendment proposed by our venerable friend, and almost, may I not quite say, the father of this House, the Chairman of the Committee on Canons (Dr. Mead), in which he proposes specific legislation upon this subject in the matter of the administration of the Sacrament of the Lord's

Supper. I can only say that I am opposed to this amendment for this reason, that I do not believe that our Church, in its standards, is unsound upon these questions. I think it has been very clearly shown upon this floor in one or two speeches that have been made, one by my colleague from Long Island (Dr. Paddock), and also in the speech of Judge Sheffey, of Virginia, that each one of these points is provided for already, that we have in our standards, at this present moment, a guaranty touching each one of the specific points upon which he proposes either an enacting or a declarative legislation. Not only so, but I am unwilling, for one, that the idea should go upon formal record that we are unsound and need specific legislation upon these particular points. I claim that we have it in the Articles which have been cited so largely; we have it in the Order for the Administration of the Holy Communion itself. I will not occupy the attention of the House by going over the points in detail as I could do, and as I have done privately; but I am prepared to say, that if each one of you will give your minds specifically to that matter, only remembering what has been stated on this floor by the distinguished deputies from Long Island and Virginia, you will be assured that this legislation, proposed by the distinguished deputy from Connecticut, is not demanded, except as a mere declaration, such as the House of Bishops is wont to do upon points that are not generally accepted.

We come back then to the original Canon that has been proposed to us, and I am here to say that it is my firm conviction,—it is a conviction, I believe, which is showed by the large majority of this House,—that unless we pass this Canon as it has been given to us by the House of Bishops, as it is waiting here for our concurrence,—unless we pass it exactly as it is, without amending it in the slightest degree, without altering its form or its substance, we shall do nothing at all at this General Convention, and I do ask of the members of this House that they will just meet squarely the opponents of legislation upon this subject, on that platform. We should get a full and fair sense of the sentiment of this House on an issue thus squarely presented. I am prepared to say that when I first examined that Canon I was very decidedly opposed to it. I thought the Canon had certain contradictions in its own terms, and when the subject of the Canons of 1603 came before this body for consideration I doubted, (utterly opposed as I am to the idea of common law in the Church, knowing as I do that no question has ever been settled upon Common law in this Church, and that there is no franchise to-day held in this Church upon the sanction of common law; that our whole history from first to last is a history of the Canons of Councils and of such specific legislation as covers points that are in issue, and there is no man to-day who would claim that there is an idea in our Constitution or Canons single franchise that is held by a presbyter of the Church in this country that is not in some other way to be traced to a Canon. How could we have common law) in a Church constituted as is ours? What is common law but a usage that has been in existence so long that the memory of man runneth not to the contrary? There is a great difference between matters of mere temporary usage and the great common law idea—a distinction that was entirely ignored several times in this debate by the learned deputy from Maryland (Mr. Carter). But I want members of this House to understand that there

is a very wide distinction between use under a Canon and a mere transient usage, let it be one thing or another. We have been told now that it is within the memory of man that a surplice could not be put on without creating remark; and yet at the same time surplices are accepted as the common usage of the Church. We have no specific legislation upon the subject now, but it is not common law under which we use a surplice because the memory of man doth run to the contrary.

Let me for one moment glance at this canon, and I will detain the House but little longer. This canon begins by proposing what I regard to be a principle of the very highest importance and one which I should like to see receive the subscription of a very majority of this body:

“This Church holding fast its liberty in Christ its Head—”

Oh, I love to see that word “liberty” there in the first line!

“recognizes no other law of ritual than such as it shall have itself accepted or provided; meaning thereby in no wise to prejudice or arraign the differing rites, usages, customs or laws of other branches of the Church of Christ.”

That is very distinct repudiation of any common law if it has not already been accepted as the law of the Church; that certainly is sufficiently declaratory of that great fact; and then it merely goes on to say what those things, are such as it has accepted or provided. We have got Constitutions and Canons and the Prayer Book and all these things which have been accepted and provided. The only question that came up as the *bête noir* of this whole matter was the canons of 1603. We know perfectly well, as has already been stated by the distinguished deputy from Illinois in his speech, that it was a well entertained opinion at the time of the organization of our Church, and not only a well entertained opinion because it was a fact which no one could deny, but it has been put upon record, not formally if you choose, but informally, in the opinion of the wisest presbyters and your Bishops at that time that the Church in this country organized under the Constitution of 1789 was identical with the Church known as the Church of England previously existing in the colonies. The continuity is I believe universally acknowledged. What was the law of the Church at that time? Certainly, as a part then of the Church of England previous to 1789, it accepted these Canons. The terms of this Canon are, “such as it shall have itself accepted and provided.” It did accept and provide these Canons of course for its use in the Provinces here because it was part of the Church of England, and therefore they naturally and legitimately came under the specification here as to where the law of the Ritual is found. It refers to these canons that we accepted and provided previous to our organization in 1789, and they are the Canons of 1603, and therefore, it seems to be very natural and proper in referring to these things, that this Canon should refer to them.

Not only so, but you have here what I suppose, not being a member of the Committee, and not having asked any questions of any member on the subject, must have entered into the mind of that Committee, that there must be an element of compromise and conciliation in that particular clause. It is a declaration of the identity of our Church with that of England. It is a declaration of the unbroken continuity of our

Church. It is, to a certain extent, designed to be an overture to those who wish to go a little more into the accepted usages of the Church of England for an extension of a Ritual which they think is too narrow-confined in the Book of Common Prayer. I do not know; I have never asked the question, but I believe that that idea existed in the minds of those who prepared this schedule of where the Ritual law of the Church was to be found.

I am warned by time that I cannot dwell longer on that point, as I had designed to do, but it was rather an amplification of one or two ideas thrown out here. But I wish to come to the other point which has been regarded in this House as constituting a very objectionable feature to the passage of this Canon, and that is, the Episcopal supervision, the Episcopal check that may be put upon the matter of Ritual in the different dioceses. I can only say in the beginning, as far as Ritual to-day is concerned, like all other matters of administration of our Church, which may, or may not, as you choose, be distinctly defined by the Canon law of the Church, it is left very largely to the wise supervision of the Bishop of the Diocese, and the Bishop may, with his godly counsels and admonitions, come in and make such suggestions as I have no doubt the great majority of presbyters would feel bound to respect. Now, what is proposed here? It is, that under certain circumstances the Bishop shall be called upon to deliver in writing what he regards as the proper construction of the law of the Church touching a matter of usage in one Church or in another. It seems to me that where a grave question of this kind arises between pastor and people, or between different members of the same congregation, all of whom feel that they have the same rights there, there ought to be some court of arbitrament; there ought to be some one person to adjust those difficulties if it be possible; and certainly there is no one in the world who, by the functions of his office, by the eminence of his position; by the unprejudiced and impartial character that he must possess if he be a true man in administering between those who are in a conflict of opinion within his jurisdiction, is as well qualified as the Bishop of the diocese to do it. Sir, the longer I exercise the office of a clergyman in the Episcopal Church, the more do I become satisfied of the fact that in the fairness, in the moderation, in the grand spiritual poise of the Bishops of our Church, we can have a point of rest when probably we can find it nowhere else, and it may be that some day we shall have to "appeal from Philip drunk to Philip sober;" when we shall have to carry questions out of the arena of popular debate where they have been fanned into a fierce flame by the winds of prejudice and passion, and lay them down at the feet of our venerable fathers, and ask them to administer for us that which we have been, by reason of these fearfully conflicting issues, unable to administer for ourselves.

With regard to the objection that a Bishop may decide upon a case without any redress being afforded to the presbyter, let me say that there is a power of appeal provided, in not a difficult case, but in a case that could be made up within twenty-four hours — a case that would be acknowledged to be made up if you desired it, if that is the design. Do you suppose that a man who is oppressed in one diocese could not get a differing decision under different sets of circumstances, for the sake of bringing this matter up; as we say, arranging an amicable suit? We see constantly in courts of law that great questions come up

on amicable suits that are presented. Not only so, but whether it be an amicable suit or not, the moment a question is decided in this way in a great country like ours, the matter will be agitated from one end of the land to the other, and every man will begin to ask the question, "Is that a right decision?" Some man will say, "No, it is a wrong decision, and we must have an appeal; we will have the issue made elsewhere"; and you will find that it will be but a very little time before there will be two conflicting cases, when, of necessity, the question will have to depend on the ultimate action of the House of Bishops on the subject. It is the creation of a grand Court of Appeal. It is the presentation of a redress to a presbyter such as now he has not got, and a redress of such fairness, breadth, and liberality, as I think would provide for the case of any man and every man.

Then there is an additional provision, providing, in the meantime, for a more thorough investigation of these Canons, making a digest of them, selecting from out of their number those that have pertinency to this question, having them presented in such concrete form, such digested form, that the whole Church can become familiar with their contents; and meanwhile there need be no ignorance on this subject. Since this subject has come up for discussion, these Canons have been read and have been digested in our hearing. I venture to say that there are plenty of men in this body to-day who know more about these Canons of 1603 than they do about the Canons of the Protestant Episcopal Church of the United States, simply because they have listened to this debate, and simply because, on the other hand, they never read our own Canons at home. I believe if we could have a catechetical instruction on the subject of the Canons, at the beginning of each morning's session, by one of the presbyters or Bishops, we should be much better prepared for the discussions of the day.

Gentlemen insist that it is proposed to establish a law that they know nothing about. You have always got a law that you do not know anything about. You do not know anything of the Canons of your own Church. What man could rise here, if I were to mention a Canon, and give us the meaning of that Canon first and last? We can have all these Canons of 1603 brought before us within one month after the adjournment of this Convention, and some bookseller will put them in print and they will be known all over the country in less than three weeks. There is no ignorance involved in this proposed legislation. On the contrary, it proposes that we shall be fully and thoroughly informed on this great matter that is proposed to us.

I think I have touched most of the points that are regarded as objectionable. I had proposed referring to some matters that have been presented in the prosecution of this debate. I shall only very briefly refer to one or two.

It has been said on this floor, with a degree of fervor that almost set me on fire, by that distinguished clerical deputy from the Northwest, whose impassioned eloquence will not soon be forgotten by those who had the privilege of listening to it, that as between the school of thought which he represented and the evangelical school, there was no chasm. I felt so moved and stirred by that apparently Catholic remark, that I quite forgot the logical extensions of the idea as he lifted me up with him, as upon the ladder of vision, and lost me in the

empyrean of his devotional views. He said that he could stand side by side with them, that they both alike sought the salvation of souls, that they both alike worshipped the common Saviour, that they both alike were lifted up, but by different processes, in that worship, that each had his ladder of ascent, and that there they could stand side by side because they were animated by a common sentiment and because they contemplated common objects. If the gentleman's argument be perfectly correct and true, could he not take the poor evangelical out of the way and put a Roman Catholic in his place? If the argument was one of logical force, if there is no chasm between those two schools of thought in our Church, and, therefore, there should be no legislation touching the conduct of one, why can he not, by a parity of reasoning, say just as well that there is no chasm between him and the views he represents, or the evangelical and he who stands as the embodiment of the Church of Rome? They both seek the salvation of souls, but by different methods; they both acknowledge the same Saviour, but worship him in different ways; and they both claim to be members of the Catholic Church, although they have different methods in its administration.

Sir, while we are one in sentiment and love, we should seek to be one in the exactment of the great laws of sound doctrine, in the prosecution of those Evangelical methods of procedure which characterized the Primitive Church, and which we can never afford to have eliminated from the modern Church.

We have now reached a point, as I said at the beginning, and which I would repeat, as I am nearing the close of my remarks, when this question has to be met fairly. The distinguished deputy from Connecticut, the President of Trinity College, to whom I have already alluded, proposes that we shall wait, in order that public opinion may be manufactured. Sir, public opinion sometimes undertakes to make itself and it scorns all the influences and appliances that are brought to bear. I can say to that distinguished gentleman that he cannot manufacture public opinion in Connecticut as they can manufacture sewing machines. We have fallen upon times when people will think for themselves, and I suppose there is no subject that has ever come before this Episcopal Church upon which there is more independence of thought, upon which there is more maturity of reflection, upon which the people are more prepared by having passed through wise processes for wise results than they are at this particular time.

I want it, therefore, to be generally conceded by this body that up to this point in the discussion there are certain matters that are admitted to be settled. The points have been made, and they have not been gainsayed. I think it is clearly the opinion of this body that we have no common law in the Church, that everything which we accept as binding upon us can directly or indirectly be traced to Canonical enactment. I think we must take it for granted that there is extreme Ritualism somewhere in the Church. I think, although we have had so many deprecating assurances on this subject, that a thing which has no

entity, which has no reality, could scarcely find such superb sponsors, such eloquent advocates. I think they would not stand on the floor of this House and devote their whole thought and feeling to the advocacy of an idea if it had no existence. I think we may take it for granted then that extreme Ritualism exists.

The next point that I think must be conceded generally is that legislation is demanded and that it is demanded now. We are perfectly willing to concede these gentlemen who deprecate the existence of ritualism, just such a verdict, if they please, as was once given in a court of justice by a jury, who pronounced that the prisoner at the bar was innocent, but he must never do it again. [Laughter.]

This debate cannot end without a decision, and the question before us is: What is to be done? I say without hesitation, adopt this Canon just as we have received it from the House of Bishops; take it up and adopt it section by section, and give it the approbation, and the *imprimatur* of such a majority of this House as shall make the sound that goes out from this Convention, not an uncertain sound, but that shall make it ring through this land in trumpet tones, as a distinct declaration that our Church has freed its skirts from that extreme ritualism tolerated only in the Church of Rome. The effect of non-action will be equivalent to an endorsement of ritualism; and I want the members of this House to understand that it is this Canon or nothing; but I wish them at the same time to understand that I think it is the feeling of this body to sit here until every member has fully expressed his feeling on this subject in the plenitude of his thought and experience, and however long it may take, we will reach a vote sooner or later.

Mr. President, we contemplate through this action an emancipated Church. We contemplate through this action a relief that will go to many distressed hearts and consciences. We contemplate through this proposed action a unity of sentiment with the House of Bishops, so that when the action goes forth to the world, it shall go forth the voice of the Church, like the voice of one man.

We are not to forget that we are living in an historic age, and that the action of this body will make its record wide and deep upon the religious history of these times. We are enacting at this moment the most important elements of history. We cannot afford to ignore the great fact that the religious culture and development of the world is making mighty strides in these our times. And the question comes before us finally to consider whether, when the voice of the great Dollinger is ringing throughout Europe, when there is in the very heart of the Roman Catholic system a tremendous moral upheaval, at a time when the oppressed ecclesiastics of Europe are reaching out their hands to us, when we have heard on this floor the reverberations of the Church Congress at Munich declaring loudly that those who seek to free themselves from the cramping bondage of Rome turn their eyes toward the

Church of the United States and the Church of England, to find affiliation, and standards, and examples,—shall we, when there is this grand movement toward our standpoint, fold our arms and stand irresolute, or turn back into those deserted paths that are covered with the wrecks of exploded ideas, with the mere blackened remains of systems long ago destroyed, while our brethren, shoulder to shoulder, are marching forward and inviting us to join the procession of the Church's glory. The eloquence of the hour and the issue is irresistible? The sublime appeal is made from vain retrospection to conquering progress. The clarion call goes trumpeting from heaven to earth—"Wherefore cryest thou unto me, speak unto the children of Israel that they go forward."

"Men of heart and men of action, clear the way."

The Rev. Dr. JACKSON, of Connecticut. I rise to say one word of personal explanation. The reverend deputy from Long Island implied that the present position of things was accomplished by parliamentary tactics; that there was some collusion between the hon. deputy from Maryland (Mr. Carter), and myself.

The PRESIDENT. He disclaimed that.

The Rev. Dr. JACKSON, of Connecticut. I only wish to say that when the hon. deputy from Maryland withdrew his motion for indefinite postponement, I had not the slightest idea of what he was going to do. I had no understanding whatever with him.

The Rev. Dr. SPALDING, of Wisconsin. Mr. President, I have listened with the greatest interest to this entire debate throughout, and with particular interest to the able deputy from Long Island, who has just spoken. I have felt it to be of the greatest importance that we should have a fair, straight, clear, and thorough investigation of this entire subject. I am no party man, and I work with no party. This is an important subject, and I feel that we should give it the most careful and prayerful investigation.

I must say, also, that in following such speakers as have spoken in this Convention, and among others the gentleman who has spoken before me, I feel a good deal like the young attorney who followed Rufus Choate. He said to the jury, "I cannot gyrate before you like my friend Mr. Choate, but I would like to state a few *pints*." [Laughter.] That is exactly my position. I think there are "a few *pints*" to be stated, and I only ask the kind attention of this audience for a few moments while I state, in my imperfect way, a few of these "*pints*." [Laughter.]

Among the points that I wish to bring before the consideration of this Convention, is one that has almost been touched once or twice, but not quite. This Canon in its main points has already been ably considered, and in its legal points thoroughly so and I am perfectly satisfied with respect to those points that have been considered. But there is

one clause in the third section to which I will call the attention of the Convention. Speaking of the decision of the Ordinary, it says:

"Whose official written determination, whether of his own motion, or at the official demand either of a rector or of a vestry, shall be held to be the settlement of any question which shall at any time arise concerning ritual."

Just consider that provision for one minute. I have the most abiding and real regard for the Episcopal office. My associations with that office have been such as to give me the highest veneration for it; yet it is possible—the history of the Church has shown it—that men may come in who are unworthy of that sacred office. Now let us suppose a diocese, and a Bishop who, for instance, could be influenced either by personal favor or by pecuniary considerations, and some little parish of only twenty communicants, could determine the law of ritual for that whole diocese. Let us suppose that St. Alban's, New York, should happen to become in favor with a Bishop, who might change his views at the same time, with respect to the Church ordinance on ritual, and the whole complexion of New York, if this Canon were enacted, could be changed to meet the very practices that we deprecate in St. Alban's to-day; and so the same might be said of a dozen other, dioceses that I could mention to you. This provision is that the decision of the Bishop, of his own motion, or at the official demand either of a rector or a vestry, shall be held to be the settlement of any question that shall arise. I want to consider that. We might not have a Bishop who could stand between the great issues that might be involved in the settlement of that question. That is one point that I wish to present concerning this Canon.

Another point is that it seems to carry with it its own repeal. Consider this second sub-section of the second section:

"The Canons of the Church of England in use in the American Provinces before the year 1789, and not subsequently superseded, altered, or repealed by legislation, general or diocesan, of this Church."

Then consider the resolution following the Canon:

"Resolved, That a joint committee of three of each order be appointed to examine the Canons of the Church of England of 1603, and report to the next General Convention what portions were in use in the American Provinces in the year 1789, and how far the same have been modified by repeal, or alteration, or other mode, by action of this Church, in its Constitution, general or diocesan, and whether any portion requires modification or repeal." Think, sir, of the legislature of one of our States passing a law and then appointing a committee to act until the next session to tell what the law was! This law is to go in force now, and a committee three years hence are to tell us just what it is! That looks to me very much like repealing the law on the spot when we make it. It carries with it its own repeal. I may be mistaken, but that, I think, is

the clear and logical conclusion from the Canon itself and the resolution which follows it. We certainly cannot afford to stultify ourselves by putting such an enactment before the country as the law of this Church on ritual; that is, we make a law and then appoint a committee to sit for three years and tell us what it is. Gentlemen who urge the passage of this Canon object to putting the subject over for three years in order that then a proper Canon may be passed; and yet here we have a law and we have got to wait three years to know what it is as it now stands!

I make those two points, and I wish also to take some exception to the mode of argument which has been used here. I fully endorse the statement of the gentleman who last spoke, that on the whole, our debates have been exceedingly Christian, charitable, and temperate. I pray God that it may always be the case in the Church; and yet I want to object to a kind of general outline or mode of argument here. We have heard a great deal about the Ritualists. We have gone forth hunting Ritualists. We have made that our business. We have heard of this "awful movement." I am no Ritualist. I conduct to-day, and probably shall until God shall call me from my labors, the services of the Church just as my venerated and sainted father himself conducted them; just as I received them from DeLancey and carried them out under the sainted Bishop Kemper. I, therefore, am no Ritualist; but I believe in fair play in this matter. Our words and our speeches are printed and become history, and we want to leave on record something to show exactly what is the condition of things in this Church to-day. From our debates one would suppose that there were only two classes of people in this Church, Low Churchmen and Ritualists. It happens that there are three classes. There are extremists on each side of this question. The extremists are few. The sound conservative believing Churchmen standing on the platform of the Prayer Book are the rank and file of this Church and the great body of it.

Now, if we go into any legislation upon this subject, let us hear something occasionally about the other side, let us, for pity's sake, understand that there may be a back door into which the thief may enter to destroy. Do not let us cast a Canon that will only fire one way, at the enemy coming in on one side, and set it in a solid mortar foundation, so that we cannot turn it in an emergency, to bear the other way. Sometimes, in the tactics of war, folks are attacked in the rear. Occasionally we hear of such things, and I solemnly assert before this House to-day, that I apprehend danger from the rear. I say there is just as much danger, and more, from defective ritual than there is from advanced ritual. I say, further, and I wish it to be distinctly understood, that the advanced Ritualists deny holding false doctrine or doctrine not in accordance with the teachings of the Prayer Book, while there are extremists who boldly assert that that Prayer Book must be altered and

modified to meet their particular views. We all know that.

I am in for legislation on ritual. I am in for wise legislation. I am in for comprehensive legislation that shall go forth and rake up the irregulars on all sides, and bring them back to their loyalty and duty to their mother the Church. Do not let us hunt Ritualists, do not let us build up bugbears here to frighten us from the fact that there lurks a danger, a more serious danger, to the Church, on the other extreme.

For instance, we have heard the question of the Real Presence brought up here. I believe in the Real Presence. I do not believe in Transubstantiation. I do not believe in Consubstantiation. I abhor and repudiate those doctrines. I do believe, as the Church of England says, that there is a Real Presence in this sense, that Christ is present in the Holy Eucharist after a heavenly and spiritual manner, and I am willing to be tried on that faith. If anybody thinks that is false doctrine, I waive my right to trial in my own diocese and by my peers there, and I will stand the trial in any diocese in the Union. But I deny that Zwinglianism is any doctrine of this Church at all. I deny that it is taught in the Prayer Book, and if we are to enact Canons to affect doctrine, let us fix it so that defective ritual shall feel the force of the law, also.

Another thing. There has been a great deal of *ad captandum* argument here. It has been charged, and some men whom we know are holy and good, some men whom I personally know believe the truth as it is in the Prayer Book, have been included in this statement that the doctrine of Transubstantiation is held. The law of this Church enables us to prosecute any man holding false doctrine. I do not believe that a clergyman of this Church can be found who will advocate the doctrine of Transubstantiation.

Then, again, it was asserted here to scare people, and to influence this Convention, if possible, that it was well known, as it was said, that there were a large body of people in the Church who held that baptismal regeneration and conversion were convertible terms, or to that effect; that we need some explanation of it. I defy any gentleman in this House to bring forward the priest or Bishop of this Church who ever did hold, or who does hold to-day that baptismal regeneration and conversion are the same thing, or who ever did hold, or does hold to-day, or ever wrote a book to show that because a man was baptized therefore he was morally changed on the spot, and that without keeping his baptismal obligations and living the life implied in his baptism, he could attain at last to the inheritance of the saints in light. I will go forth and travel a year for nothing as an agent of the Evangelical Knowledge Society, if any man can be found, priest or Bishop of this Church, who has held or taught that thing. Nobody has believed it at all and therefore I myself, with all due respect to our venerable fathers—and I love and reverence them—thought that resolution was hardly necessary at this time. I

had a resolution prepared, if the matter came before this House, affirming the doctrine of baptismal regeneration, and then let theologians go and look up what that thing means. If the people do not understand it, it is because the clergy have not been true to them; and if the clergy do not understand it, it is simply because they were not thoroughly taught and thoroughly examined when they came into the Church.

I know, therefore, that there is no ground for serious alarm in this matter. I have had no trouble in explaining these things to my flock. I have had no trouble in making them understand what their baptismal obligations were, and what their baptism had done for them, and there is never one of them that has laid himself simply back on the fact of his baptism, and supposed that he was going to float into glory because he had been washed in water in the name of the Father, Son, and Holy Ghost. He knew he had got to live a Christian life, to bring forth the fruits of the Spirit, to grow in the knowledge of our Lord and Saviour, to devote, as his life's work, himself to the pattern of a perfect man in Christ Jesus, that so his faith might be as the faith of the just, shining on and on to the perfect way.

Another thing which has been said here intended to stimulate action in this respect is, that we are all very much frightened, that there is a fearful commotion in the Church. I heard something yesterday said about an incubus. I wish to state that I am a missionary in the West, where they would feel incubuses, if they were anywhere, and we have not felt the incubus yet, we have not seen it. I have ridden over the prairies for miles, and I have never met with an incubus yet. [Laughter.] I sometimes go with an empty seat in my buggy, and I would let the incubus ride if I met it, but I never met an incubus, or anything that looked like an incubus, or anything that had that name.

I have no doubt there are some few who have been agitated by the questions before the Church, but I say, on the whole, they have done good, they have made men "read, mark, and inwardly digest," who were perfect dyspeptics before, who could not digest anything. They now do digest something, they have been stirred up to inquire what baptism means, what the Real Presence in the Sacrament of the Lord's Supper means, and the people are flocking to this Church of ours from the very fact that we have a faith we can tell to every body, that we can give a reason for the hope that is in us, that we have a Book which contains the whole statement of our faith and rule of life, and rule of service and practice. Within my own district, within four years, there have been between three hundred and four hundred people baptized. The Church is growing everywhere, and we do not feel the incubus. There is no great necessity, therefore, and I think that I am speaking for the great majority of those in the West, when I say that we are not very particular whether this legislation takes place precisely at this hour.

There is one point more. We have heard much said about liberty here, and oh, let us remember, let us remember most solemnly, that one sign of the beginnings of the apostasy and one sign of the enterings of false doctrine was to be the hue and cry of liberty. "While they promise them liberty," says the Apostle, "they themselves are the slaves of corruption." There is such a thing as "the liberty wherewith Christ hath made us free:" it is the liberty under an inexorable law that He Himself has determined—the law of faith, the law of obedience, the law of "the faith once delivered to the saints." And all beyond the confines of that is lawlessness, it is license to teach false doctrine, to practise false ritual, to do everything that ministers to self-will to personal pride, and to personal aggrandizement and success in any personal schemes or endeavors. Oh, let us beware of that! Do not let us be moved to vote on this Canon or any other Canon on the questions of a lawlessness mistaken for liberty. The tendencies are toward that dangerous liberty.

To conclude, therefore,—for I fear I have wearied the House by remarks ["Go on."]
—I wish to say that I am in for legislation on the subject of Ritualism, first, when we know what it is, and in the next place, when we can get such legislation as shall be comprehensive and reach out after all errors everywhere. My wife asked me this morning what Ritualism was. She had been here yesterday and heard the thing talked of. I could not tell her. I came to the Convention supposing that Ritualism was the use of surpliced choirs; but, lo! the first thing that dropped here was that it was not. I have been letting that thing alone for two or three years for fear I should let the incubus in about me; but I come here and find that there has been a great mistake made in this matter, that a surpliced choir, after all, is not Ritualism. We do not know what it is. I should really like now to see the paper which would be written if every member of this Convention was called upon silently, without consulting with anybody else, to write down his definition of what Ritualism is. I think the first point is to settle the thing, and then we can legislate at it afterward.

My feeling is that the proposition of the deputy from Connecticut [the Rev. Dr. Jackson] should be accepted, and let every man during the *interim* of the Convention settle in his mind what he would like to see in this legislation and write it to the committee that would be appointed under that resolution, and let the thing be fairly and squarely understood for these three years. Let this committee be a wise committee, appointed by the wisdom of this Convention, and this Church, represented here. Let them prayerfully deliberate for three years, and come in at the next Convention, not as the Bishops did in this Convention, sending down to us a little statement of something and asking for a committee to go back and help them, but sending us down first a definition of Ritualism and then legislation on the subject of Ritualism. In that way I think we shall have action that we shall not

afterward be ashamed of. I feel that in this way we shall settle the whole thing righteously and well, and shall be prepared to go forth "Conquering and to conquer" all errors within as well as without. I think that we shall then be able to go back to our parishes and look them in the face.

Now take some of the provisions of this special legislation and consider them for a moment. Here is legislation against candles on the altar. We all know what a candle means. The legislation implies, in the first place, a candlestick, and then a sperm or wax candle in the top of it. Now let us suppose that some Ritualist seeing that he could not have that thing, should immediately introduce gas under his altar and then bring the gas-pipe along and put on the top of it a glass globe and bring the jet out at the top shining in that globe. That would not be a candle. There he would have this Canon. There would not be a lawyer in the country who could prove that he had a candlestick, but it would look like it very much when you got a squint at it.

We want to fix it, therefore, so that the lawyers cannot tear it to pieces. We want to get some lawyers in this committee to settle this subject of Ritualism, and then we shall have done something that will make us respectable in our legislation.

Oh, the times are great! We want to do something besides this talk. We have lost three or four precious days here. The gates are wide open to the Church everywhere. We want sisterhoods and we want brotherhoods and we want schools and colleges and guilds, and we have been discussing this little matter far, far below the real issues involved. Let us then wake up and settle this thing in the right spirit at once. Let us go for the amendment offered in the place of this Canon, and then return to our homes in charity to wait for the developments. Let us understand that we are a growing Church, and we do not know yet what sort of clothes we shall want to wear. We may, within the next three years, outgrow almost anything we should cut and make to-day. We have grown very much in ten years. It would astonish the man who died ten years ago to wake up and see us now. Therefore if we have a few more years, at least till we get two thirds grown, we shall be much more likely to be fitted by something or another than we shall be now. Let us therefore go forth caring strictly for "the faith once delivered to the saints," by our holy lives, by our charity, by our earnest work among the poor, by our laying hold of all the great issues of salvation, and working for our Common Master, and take with us this grand Church of ours, "fair as the sun, clear as the moon, and terrible as an army with banners."

The Rev. Dr. LEEDS, of Maryland. Mr. President, I regret very much to occupy the attention of the House upon this question after this very long and very able debate; and yet such is my impression of the importance of wise and deliberate action, and the value of every light that may be

brought to bear upon the subject, that I can hardly refrain from opening my lips.

The motion now before us, if I understand it, is that of my honored friend of Trinity College and of the Diocese of Connecticut, which proposes to postpone all action until the next Convention. My objection to his motion is simply this, that it does throw into the future that which has relations to the present, and leaves us in a state of confusion and derangement until his report comes. If his resolution were to be supplementary to the Canon of Ritual Uniformity, I should not object to it, provided it would take the place of the commission proposed by the Bishop of Maryland, to examine into the Canons of 1603. I believe we need the largest examination of this whole subject, and I believe we need too a recommendation of the most elastic rule, which shall be equally removed from too much stiffness in repressing, and too much license in receiving, what this Church most requires.

But, sir, do we not require action now? What said the last General Convention? The last General Convention thought that action was requisite. A Special Committee of the House of Bishops, acting under that impression, gave us a report, and the Joint Committee of the two Houses, since we have come together, has reiterated the same thing by presenting to us certain measures for our adoption.

We are asked what we shall do, and the embarrassment in our way is that we are ignorant of the path we should pursue. What ought we to do? I am very glad that the two or three speakers of this morning have made the wise distinction that should be made between ritual and what is technically called ritualism. Ritual is a Divine institution. It is the seemly, reverent, and edifying administration of God's own service. He gave the most gorgeous splendor to the temple of the Ancient Church. He has given also His sanction to the simplicity of the upper chamber in the Christian Church. Taste, temperament, and education, regulate all these matters agreeably, not only to the law of common sense, but to the known law of the whole Church Catholic, which leaves to every branch of the Church to arrange and regulate its own ceremonies without any regard to the ceremonies of any other quarter of Christendom. It is no more catholic to follow what is ancient and venerable than to follow that which is recent. It is no more catholic to expand our views until we take in all that the comprehensive Church acts on and adopts, indeed, in my opinion it is not so catholic as it is to confine ourselves wholly to what our own national branch of the Church enjoins. That is catholic practice which obeys the Church in its own proper jurisdiction.

I have stood in the Church of the Holy Sepulchre at Jerusalem, when that venerable patriarch of the Greek Church, who had reached almost his ninety winters, stood in cloth of gold, with his breast-plate sparkling with brilliants, and his domed

mitre crowned with its cross of diamonds on his head; and when one of the Archimandrites brought to him from the high altar the two golden candlesticks, one of them with three branches, and the other with two,—the three to symbolize the Trinity and the two the Divine and human natures in our adorable Lord—and when receiving them into his hands he crossed them reverently over again and again, blessing the prostrate crowd under that holy dome, I was filled with an awe and with a sense of Divine Presence, such as I seldom have. And yet I have stood by the side of one of our own venerable fathers in God, as in some little humble chapel he clothed himself in the simple garments that the Church prescribes, has been laying his hands upon those who knelt at the chancel-rail before him; and my soul has been touched to as holy and tender issues as on the more memorable occasion.

This matter of whether we shall have a more impressive or a less impressive ritual, depends upon circumstances. I would not adopt the grand ceremonial of the Greek Church, even if it were divested of all error or superstition that may inhere in it; neither would I seek to force upon the Greek Communion the simplicity of ours. We differ not only æsthetically, but in our moral and religious nature, I might almost say upon matters of this kind. When I was in Athens I saw the Greek rite there. It was solemn; it was devout; and yet right in the midst of their temples stood the little English chapel, with Dr. Hill wearing his surplice and administering the rites of the Church without any parade, and in the most plain and humble way. I have yet to learn that a single member of the Greek Church would have Dr. Hill to do otherwise; on the contrary, I firmly believe that they appreciate our method of administration, and that they appreciate the spirit that prompts it and governs it, as much as and far more than we appreciate theirs.

Mr. President, upon matters of choral service, upon matters which touch a choir in surplices, upon matters which touch a procession or a recession, I think that we need not differ. No principle of the Ritual or of the Christian doctrine is involved in them. They are mere questions of ecclesiastical regulation and of local expediency; they are to be left there; and if we will divest this subject of all such things about which we differ in matters of taste, I believe we can approach the question of Ritualism and deal with it as a real thing.

Now, sir, that in Ritualism—and by that I mean what I am now about to define—which perplexes and embarrasses and distresses me, is, first, its departure from the doctrine and institution of this Church, as the same have been received by us, and I humbly submit that in Ritualism there is a germ of change from the standards of the Church which we can easily recognize, distinguishing it from the doctrine and the institution that we, all of us, conform to. When I see guarding the portals to the Holy Communion an enjoined, if not exacted, confession of sin; when I see as the worshipper approaches the Holy Table, that he bows reverently, and not only reverently but pays worship to Him who under the enthronement of bread and wine is held to be present, and directs his adoration simply to those elements and to the

seat of the Divine Majesty on which they are placed, I submit, I would leave it to the honesty and to the good sense of every one who favors this, to tell me that it is not a change in the complexion of Christian doctrine and Christian institution as this Church receives the same.

I enter with no curious spirit into the mysteries that enshroud the presence of my Lord in the Holy Sacrament of His Body and His Blood. I would not dare to define how He is present there. I worship Him as I approach myself, His altar. I see Him as if He were the one sacrifice forever upon the cross, and from His bleeding side and from His broken flesh I receive the benefits of His great atonement by and through or in connection with, if you please, receiving into my heart His very Self under the forms of the bread and wine, but yet receiving them only by faith and moral and religious acts of adoration, penitence, and love.

It there be no one here (and I have not the right to presume that there is any one here) who holds to such a view of doctrine and institution, how can any one object to action upon this subject which means, on the principle of *obsta principiis*, to nip this bud in its germ? Sir, I have been present at the ministration of the Holy Communion,—and I adduce this very reluctantly, but only to illustrate,—when one of the clergy whom I love and with whom I delight to act, kneeling by the side of its altar-rail as the Elements were approaching fell from the chancel-rail until his forehead touched the cushion on which he was kneeling, and the officiating priest passed him by because he was no longer there, and I had to recall the attention of him officiating that there was one he had omitted; and when the holy cup came in succession, borne by another hand, again there was a vanishing, and again there was a passing by in the oversight of the ministering priest.

I ask, Mr. President, if actions like these do not indicate a change in the complexion of Christian doctrine? And when you remember that around this central rite, which we all allow to be the centre of all our services, if this doctrine be pronounced true and exclusive, there must be prostration, genuflection, adoration, elevation of the Elements for this very purpose, it follows as a matter of course it all must be. Why, in the language of my friend from Massachusetts, if I did believe all this, I should be prostrate in the dust from the commencement to the close of the service. I say, that when you remember that all these things must follow, is there not occasion for some action on the part of this Church to regulate and restrain these things?

I hold that this is no sword with a single edge. It is a blade with double edges, and it cuts the other way. It is on that account that I reluctantly object to the amendment of my venerated friend from Connecticut (the Rev. Dr. Mead) who proposes a certain action, that it is all on one side. There are men who irreverently approach the Holy Table, who do not guard those elements which represent our Lord, either at the time of their administration or after the participation by their reverent consumption, who, to my mind, destroy the nature of the sacrament, for if they do believe that their blessed Lord is at all imparting Himself in the broken body and shed blood which the bread and the wine represent, and of which they are the means of communion in any sense, they certainly should not

worship, they certainly should not adore, but certainly they should most reverently treat those things until they have been disposed of. I hope that we shall have a lifting up on the one side as well as a repression on the other.

And now to come to a second point which, in my opinion, forces upon us the necessity of action at this time, it is the hearing of this subject on Church authority. There is Church authority; and where is it? It reposes in synods, or in the silence of synods, in the Bishop. We do not give countenance in this branch of the Church of Christ to individualism. We see the errors of individual and congregational license all around us. The Church rules by authority, and whatever she rules, her members are bound to obey. The 34th of the Articles of Religion declares what I have already laid down as a sort of Catholic axiom, that every national Church has a right to regulate its own forms and ceremonies, and disobedience to the authority of the Church, touching this, is a sin, is an offence against the Head of the Church.

Mr. President, I ask you in all candor, is there no occasion in this day for us to vindicate the authority of the Church? What are we witness of? In almost all our large dioceses we are witness of every variety of ministration,—I ought not to say every variety, but of very great extremes in the administration of Divine service; so much so as to lead a clergyman on entering a new church to ask the question of his brother, "How shall I behave in your House of God?" So much so as to be scandalous to people around as to people within, and cause them to ask, "Why, is there no regulation, elastic indeed, but still decisive, which determines your usages?" So much so, that your dear child growing up asks you, "My father, what way shall I go? What usages shall I adopt? How shall I behave in the House of God?" And you are at a loss almost, except on your own individual judgment, to give him any answer.

Ought these things so to be? Ought not that branch of the Church to which we belong to have something like a Congregation of Rites and Ceremonies, or, if not, ought she not at any rate to speak out her will? Ought she not to enact her laws? I hold that she should.

There are many points to which I should like to speak, but which I shall pass by that I may give place to others, after very patiently waiting for a place myself.

I desire now to call attention to the Canon which is before us. I agree with my friend from Long Island, that it is the only thing upon which we can concentrate, the only thing upon which we can secure any definite action during this Convention. It opens with declaring the very principle which I have affirmed as to this Church governing and determining in matters of ritual. It then proceeds not to enact, but to point out, what are the provisions for ritual in this Church, first, her incomparable Book of Common Prayer which, God be praised, has not been changed, and I trust never will be changed in any respect: second, the Canons which were in use in the American Provinces or States in and before the year 1789.

After the acute analysis of all these Canons made by my dear brother from Long Island [the

Rev. Dr. Paddock], I believe we cannot be in much ignorance about them, particularly if we have given any attention to their perusal, either during this session or before. I presume there is not a man on this floor, at least not of the clergy, who has not read those Canons through, perhaps again and again, and I can assure them that there is no Trojan horse in them to bring an enemy into our borders in case we should give them our formal sanction. There are no muzzled guns that will open their fire after we have laid ourselves open to their broadside.

We are told that we are in grave doubt as to how many of them, and what ones, were in operation in the provinces prior to 1789. Let me refer you to so simple a way of solving this doubt as turning to the instructions of Commissary Bray and Commissary Blair, and to the records of their visitations in the early part of the last century, to satisfy you that the Canons of the Church of England were in use; that everywhere the surplice (of which we have heard so much) was disused, an apology was always made for it, and that the customs which we now receive were then in pretty general observance; at any rate, if not in general observance, they were enjoined by the Church, though they might have been locally disused.

We can do no hurt to adopt these, but, on the contrary, in adopting them I think we give our adhesion to a great principle of Church life, which is its continuity. The standards which have come down to us upon doctrine and discipline, we receive so as to connect ourselves with the great Church of the past, and in adopting these Canons, or rather, in simply pointing them out as a portion of the provisions for ritual observance, we but declare that there are certain things in operation which regulate the practice, and we try to trace them to their source.

There is a common law of usage which, it strikes me, supplies the place which my friend and fellow-deputy from Maryland [Mr. Carter] last night insisted was sadly wanting in the adoption of this Canon. If it be so, if there be no common law of usage to help us to eke out what is here deficient, I shall myself propose, as a sort of addition to the third subdivision, "Such customs and usages as are of general and continuous observance in this branch of the Church." I think that would meet all the difficulty which persons might feel in passing this Canon; it would fill up its deficiency. I do not care for it myself, but I will propose it in case it is called for by the House. If we do not recognize this principle of continuous life, and of the continuation of institutions from age to age and country to country, we are, in the language of Bishop White, when it was proposed, in an early General Convention of this Church, to begin our organization all anew, all formularies of division, to build up anew from the bottom, in danger of falling to pieces.

There is also a clause which I think might well be added in the enacting portion of the Canon. That is, after what is said of the Bishops determining this question, it should be inserted, "After consultation with the Canonical Council of Advice," and that, I think, would relieve it of some difficulties, in the opinion of many persons. But the

great guard on that negative clause is, that each Bishop has to give his written opinion, and inasmuch as that opinion is subject to revision by the whole College of Bishops, it no doubt will be drawn with great care and after very serious deliberation. I should therefore be perfectly willing, with all deference to my reverend friend in the Chair, to leave it to our right reverend fathers in God, as the only expedient to meet the case before another General Convention.

And now, Mr. President, I will draw to a close. I believe that we are all of us impressed with the importance of unity at this hour. I believe that when the great agencies for church extension are appealing to us for support, when we are trying to bring within our reach the benefit of the brotherhood and the sisterhood, and to go into the waste places of the earth, to call in the poor, the halt, the maimed, when we would if we could, make every house of God free to every one who should enter it, when we would enliven its services with all that is reverent and beautiful, while we would throw no reflection upon those who may be destitute in those respects—I believe that in an hour like this I may appeal to my brethren on the one side and on the other, to those who are careless of Church observances, that they may remove all occasion of offence by greater fidelity to the instructions of the Church and to the spirit of her ministrations, and on the other to my brethren who would like to multiply and intensify forms, because they express the deep, devout feelings of their hearts, that they refrain, inasmuch as they are only creating a breach between themselves and others.

I thank my friend and brother from Wisconsin for his happy allusion to the Ancient Mariner. I remember those dead bodies on that doomed deck that all at once were reanimated and rehabilitated, and then addressed themselves as they had been wont, to the occupations of their sea-faring life; and I remember also that when the touch that reviewed them had lost its virtue, they sank back upon the deck again. Sir, it may be said of forms of ancient practice which we would rejuvenate, re-practice, and infuse with a new life, that there is danger when the devout heart that animates them for a time shall have ceased to infuse itself into them, that they will be again but dead corpses fit for the Church's sepulchre. It was not the souls that had fled in pain, that to those corpses returned again, but a troop of spirits blest; and they came with minstrelsy from their bowers of Paradise, and back with minstrelsy returned. And yet the stark and stiff and grim bodies of the departed, after the spirits had taken their flight, looked with the same fixed and stony gaze of harsh reproach at their surviving companion, and left him to feel that he was among the dead. Oh, brethren, forms, if we multiply them and intensify them too far, may be the vehicle of the expression of the hour, may be the fit organ of the soul for the moment, but remember that the devout frame does not necessarily go down, and that there comes a time when these are the yoke about the neck of the Church which neither father nor child is able to bear.

The Rev. Mr. HUNTINGTON, of Massachusetts. Mr. President and gentlemen of the Convention, I have no oration, I have no jokes, but I have some-

thing to say, and, without preface, apology, or quotation, I shall apply myself immediately to the subject in hand.

In the first place, I will state just where I stand, in order that it may not be asked when my speech is done, as I have heard it asked after some speeches made on this floor, "What did he mean? What was he driving at? How will he vote?" I will give my position first, and then proceed to state my reasons.

I say, then, first of all, I am opposed to the proposition now before the House, namely, that this subject be committed for future consideration. I am in favor of Dr. Mead's amendment. I am in favor of that clause of the Canon which commits this thing to the judgment of the Bishops.

First, with regard to the substitute before us, I am opposed to it because (I say it with all respect to the honored gentleman who brought it before this House) its characteristic is imbecility.

Public opinion has been mentioned in this connection. Sir, I do not like the phrase; I seldom use it; but since it has been brought in here, let us see what it means. I tell you, then, that public opinion forms itself, not upon processes, but upon results. The great public of this land does not subscribe to the DAILY CHURCHMAN; it does not follow all the sinuosities of this debate; but there are other papers that it reads, and at ten thousand breakfast tables to-morrow morning the question will be asked by anxious lips, "What has the Convention done about ritual?" and when he who sits at the table, holding the paper in his hand, says, "Oh, just what they did before," I am much mistaken if there be not a gloomy silence and many sad faces to be seen. We want action.

Let us look now to the Canon itself:

"This Church, holding fast its liberty in Christ its Head, recognizes no other law of ritual than such as it shall have itself accepted or provided; meaning thereby in nowise to prejudice or arraign the differing rites, usages, customs, or laws of other branches of the Church of Christ."

I am in favor of that, with all my heart, because I hold it to be one of the foundation stones of Anglican religion.

With regard to the second proposition, stating that among the propositions of ritual are the Canons of 1789, note the history of that proposition in this House. In the first place, it was pounded to a jelly by the ponderous logical hammer of the deputy from Pennsylvania (the Rev. Dr. Goodwin), than whose argument none abler has been presented to this House. Next it was shot through and through by the arrows of the ridicule of the clerical deputy from Wisconsin (the Rev. Dr. De-Koven). It would seem to have been dead enough, but it remained for one who spoke in the interests of it by a brilliant *reductio ad absurdum* to give it the *coup de grace*. The deputy from Brooklyn (the Rev. Dr. Paddock), rose here and putting the 140 Canons in a sieve began to shake them. Presently, about forty of them dropped through; another shake, and forty more; another shake, and twenty more; and finally, what have we left? One little Canon about surplices, I believe. Now, for the sake of passing that, are we to commit this House to one side of a question that has been so ably

discussed here and upon which the best jurists are divided? No; better far, if need be, pass that little Canon by a unanimous vote, and let the question of the binding character of English laws stand as it is.

Besides, I hold that the argument made by my colleague from Massachusetts (the Rev. Dr. Vinton) was absolutely unanswerable. If we have in our present Digest, Canons that are identical with Canons contained in the English Digest, I say it is plain upon the face of it, the Convention of 1789 never meant to re-enact those Canons. Therefore, I say that proposition is dead.

But why is it that we are asked, notwithstanding the death in which we see it to lie, to pass it through? Because we are told that nothing else can at this stage of the session be got through the House of Bishops. I may be infringing on privilege by mentioning at all what takes place in another House. If so, rebuke me, sir; I say no more. But this much I may say: that if the Bishops refuse to pass a Canon on ritual to which a large majority in this House gives its assent, on the ground that it is late in the session and they want to go home, let me say to them in all humility that on the Bishops' shoulders must rest the terrible responsibility of what may come. They want to go home! Sir, let me quote the words of a distinguished Premier, who said to the English Bishops at a crisis in the history of their Church, let them go home and "set their house in order," for there is a sound of an abundance of rain.

I come to another objection to Dr. Mead's amendment. It is said, it was said by the deputy who preceded the last speaker, that we cannot frame a Canon of particulars so accurately and carefully, that there may not be found subtle wits able to get around it. I am perfectly agreed; that is true. We have been told that it is possible to construct candles so cunningly, that after all they are not candles. Perhaps the gentleman spoke of something that has been done, and that is. As to that, I cannot speak. But I have one answer to that argument, and only one. I think you will all appreciate it without explanation. I trust the day will never come when, from the associations that cluster around the ministry of the Episcopal Church shall be lost

"The grand old name of gentleman."

I have been told since I sat on this floor—I would not have believed it before I came here, I can hardly believe it now—that there is a presbyter of this Church who, having been admonished by his Bishop that it was unlawful to mingle the water with the wine, complied and mingled the wine with the water. I say I found it hard to believe it then, I find it hard to believe it now; but if such things can be, all I say is, let them be. All I want is a record to which I can point and say, "That is the law; judge for yourselves, brethren, whether this or that presbyter be or be not a man of honor."

Now and then parishioners, troubled in mind, come to me with stories of what they have seen and what they have heard; they come to me and tell me that they understand that there is a minister somewhere who objects to infant baptism, and that he has procured an assistant who baptizes all the infants in the parish. What have I to say to that, they want to

know. All I have to say to that is, to point them to the Baptismal Office and the Ordination Vows.

There comes to me a parishioner who is very much troubled because he has heard that this or that man has been exchanging pulpits with brethren of other communions. What do I say to that? I only point him to the Canons already enacted on that subject, and I say, "Judge for yourself; is this man acting honorably, or is he not?"

I do not want a series of ecclesiastical trials any more than any one, but when parishioners come to me and say, "This or that thing is doing, it looks to us idolatrous," I want to be able to point to the record and say, "That is the law; Judge ye whether this man be or be not a man of honor."

We come now to the third section; we come to this matter about the appeal to the Bishops. I said I was in favor of that. I am strongly in favor of it. I was very sorry to hear ridicule cast upon the language of the deputy from New York. He spoke my own heart. I can easily understand elderly gentlemen in priest's orders objecting very much to the idea that men, only thirty or forty years old, who have happened to get into the House of Bishops, have authority over them; but I speak for the loyal young men of this ministry, and I say, in their name, that they are glad to be under authority, that there is a joy in filial obedience. It has been my misfortune more than once to differ in opinion with my own Bishop, but there never has been a time, God helping me, there never shall be a time, when, upon receiving from him any godly admonition, I will not do one of two things: either obey it instantly or resign my cure.

If objection be made to the appeal to the House of Bishops, my answer is, that we must have confidence in somebody. Gentlemen say that the Bishops will get all the power into their hands; it will never do to give them so much power; every General Convention is giving them more and more power, and by and by they will get the plenitude of power and we shall never be able to get back any of it. I do not believe it. I have confidence in the Bishops. I say, we must have confidence somewhere. If we do not choose to stop with what I may call in advance the Judicial Committee of the House of Bishops, I see no logical landing place for us until we have arrived at the Vatican.

We come now to the plea urged by the friends of the ritualistic movement on this floor that this is a measure of hardship. I wish to give that plea a fair treatment, and I begin by doing a very bold thing; some will call it a very extraordinary thing. I am going to read to this Convention a woman's letter. I hold in my hand a letter from a woman who would not refuse to be called a ritualist herself, addressed to a member of this Convention at the time when the proposition of the five Bishops was first made public. It was addressed to a member of this Convention with a view to influencing his vote. The letter, of course, is read without that lady's knowledge, but I am sure that my ritualist friends will acquit me of any want of gallantry or any want of chivalry when they have heard it read and know my motive in reading it.

The Rev. Dr. DEKOVEN, of Wisconsin. Is it quite gentlemanly to read the lady's letter without her permission?

The Rev. Mr. HUNTINGTON, of Massachusetts. Will the gentleman suspend his judgment of my motives until I have read the letter?

[A scene of some confusion ensued, many deputies exclaiming, "Go on; read it;" and others, "No, no;" and one voice, "Shame! shame!"]

The Rev. Mr. HUNTINGTON, of Massachusetts. I shall do nothing contrary to the wish of this House. If you have no confidence in me as a gentleman, I certainly will not read it.

The Rev. Dr. AYRAULT, of Central New York. The gentleman expressed the hope that the grand old name of gentleman might never be dishonored in this Church. I respond "Amen" to his hope.

The PRESIDENT *pro tem.* (the Rev. Dr. Leeds, of Maryland, in the Chair). I think the House can have confidence in the character of Mr. Huntington.

Mr. WITHERS, of Virginia. If the letter was intended to influence the decision of the House, I see no impropriety in reading it.

The Rev. Mr. HUNTINGTON, of Massachusetts. The letter shall not be read, not one word of it, so long as there is a question of doubt about it.

The Rev. Dr. PADDOCK, of Long Island. I hope the rights of the gentleman from Massachusetts will be respected in this House. The gentleman from Massachusetts rises here, bearing, I believe, the reputation of a gentleman wherever he is known, and when he proposes to read, as part of his speech, matter which he has control over, he is called to order in this House on the presumption that he is going to do a thing contrary to the conduct of a gentleman. It is part of his speech. I submit it is no man's business in this House what letter it is that he reads, or what lady he gets it from. I think we are doing a great indignity if we allow a gentleman to be refused to read a letter which is his letter, and which he can do with as he pleases, as part of his speech.

The Rev. Dr. McNAMARA, of Nebraska. All letters belong to the writers. I maintain it is out of order to read it.

The PRESIDENT, *pro tem.* Mr. Huntington has not stated that this letter is in confidence. He has not stated that it was written to him on purpose to be read here.

The Rev. Mr. HUNTINGTON, of Massachusetts. I suppose gentlemen will concede that I am the custodian of my own honor. But I will simply say that I meant to read that letter in the interests of the Ritualists; that I meant to show this Convention that a woman could be a Ritualist and a true woman.

Several DEPUTIES. Read it.

The Rev. Mr. HUNTINGTON, of Massachusetts. No, gentlemen; that letter will not be read, but I can give you the animus of the letter. Certainly there is nothing that can be questioned in that. The animus of the letter was this: It was to tell me how sadly many hearts were feeling now; how they watched the course of this Convention with the deepest anxiety and solicitude; how they begged that we would not turn out into the wilderness, or be the occasion of driving into the Communion of Rome, those who longed to stay with us; those who simply desired to worship their Lord in honesty and sincerity, who had even striven to be His faithful solicitors and servants, and who would stand by Him unto death.

Now, sir, I approach the part of my address which

has to do with a theological question, and it is that portion to which I referred when I said, in remonstrating against the curtailment of debate, that there was a school of Churchmanship which had not yet been heard upon this floor. I ask the attention not of the galleries; not of those beyond the bar, but of the theologians in this House. Do not refuse to listen to me because you think I am a boy, but weigh my arguments according to their merit, and as theologians, in the sight of God, pass your judgment upon them.

I affirm, then, that the doctrine of this Church, which is held to be essential to salvation, is embodied in the Catholic creeds. There is not in them one word with reference to the mode of the operation of the Holy Spirit in the Sacraments. It has been said by a learned theologian, on this floor, to whom I bow, that this Canon would be an approach to determinateness of doctrine. If I thought that it were destined to mould the doctrine of the Sacraments into one particular form, I would vote against it and fight against it with all my might. But, sir, I assert that the Anglican Church has left the doctrine of the operation of the Sacraments just where the Primitive Catholic Church left it, that is, in the region of things undefined. That doctrine has no place in the great symbols of the faith.

Not until the middle ages; not until the Church was already sunk in corruption; not until the Council of the Lateran held in the thirteenth century was any conciliar action upon this subject had. Edmund Ffoulkes, once a priest of the Church of Rome, now a priest of the Church of England, said in his famous pamphlet, "The Church's Creed and the Crown's Creed;" that in the days when the Church was one; when Christians could go from one end of the Christendom to the other with only the Catholic Creeds as their passport in their hands, no controversy had arisen with regard to the nature of Sacramental grace. And I would add that, in the ablest work on systematic theology ever written in this country—I refer to Prof. Schedd's History of Christian Doctrine—the Doctrine of Sacraments is not so much as touched or alluded to.

I thank my colleague from Massachusetts for what he said so beautifully about the imagery or symbolism of the chapter-house. Sir, the architect of that simile "builded better than he knew," for what is the chapter-house, I ask, but the many-sided appendage of the great Cathedral? There stands the great pile that represents the Catholic faith, there it stands

"Four-square to every wind that blows,"
A mighty cross of stone.

Now, sir, I assert—and I challenge any theologian on this floor to contradict me—that there is room in this Church for those who hold high sacramental doctrine and for those who hold low sacramental doctrine. There is not room for those who hold contradictory opinions with reference to the fundamentals of the faith as embodied in the Creeds; but the Church has left room, "ample room and verge enough" for those who hold diverse opinions on the subject of sacramental grace. Sir, I cannot bear to hear the doctrine of the Real Presence, which I myself do not hold, scouted upon this floor. I cannot bear to hear it likened to a "Medusa's head," a doctrine which the Saint of Hursley lived by and for which in my heart I believe he would have died as willingly as Cranmer and Latimer died for theirs. There is room in this Church for those who symbolize with Keble, and there is room for those who symbolize with Bicker-

steth, and there is room for all intervening shades of opinion upon Sacramental grace. Why, sir, the learned theologian who introduced this matter of determinateness of doctrine upon the subject of the Sacraments, has himself written a most able pamphlet to prove, and he does prove conclusively, that there are in this Church no less than seven shades of opinion with regard to the nature of baptismal grace. May those seven shades of opinion always be permitted there!

Now we approach the question of hardship. It is alleged that it is a hardship to call upon our Ritualistic brethren to give up observances to which they have become attached. And now I am going to bring in, if I shall not be called to order for it, an *argumentum ad hominem*, on this point. In the able speech which the clerical deputy from Wisconsin made upon this floor on Saturday, this Church was arraigned for want of reverence, and I think rightly arraigned. With all that the deputy said upon that subject, I was heartily at one. But he went on, by premeditated action, to tell us some jokes, and very good ones they were, which he told us in advance he had prepared, so that there was no room for any judgment of charity that they were unintended; and, sir, these sacred walls echoed, as I have never heard the walls of a consecrated church echo before, with peals of laughter. Was it because that deputy did not know that this place had been solemnly set apart and consecrated to the worship of Almighty God and separated from all unhallowed and wordly uses? No one knew that better than he; but, while he spoke, "these hallowed arches rang," not with the notes of praise, but with the notes of mirth.

Have I brought in this argument in order to blame my friend from Wisconsin, in order to condemn him? Not at all. Discharge your minds of that thought on the instant. I will tell you why. I am trying to use an argument of love. Mind you, I will not trouble you with platitudes about brotherly love. It is an *argument* of love. There is logic in what I am going to say. That deputy used his weapon of ridicule because he knew that it was his strongest weapon, and because he knew, or thought he knew, that he was contending for a great principle. It was not because he had forgotten that this house was a consecrated place that he raised that laugh, but because he thought, and rightly thought, that there are laws higher than the laws of outward reverence, and one of those laws is the law of truth. He was talking in the interest of what he thought to be the truth and he argued rightly that it was within the range of his power to use any weapon he could find to compass his object. I justify him fully. Chrysostom and Latimer would have done the same.

But now let me turn his argument upon him. He says these things cannot be given up, because they involve a principle. And what is that principle? It is the principle of outward reverence. Now listen to the logic. Just as there is a law which is above the law of outward reverence, namely, the law of truth; so there is another law which is also above the law of outward reverence, and that is the law of love. In the name of the law of love we call upon our Ritualist brethren to give up those things that do offend weak consciences, if weak they be. In the name of him who said, "If eating meat make my brother to offend, I will eat no meat while the world stands"; in the name of that greater than St. Paul who said, "Take heed that ye offend not one of these little ones," I call upon that brother, and all who associate with him, whether, in sympathy or act, to sacrifice things which,

upon their own confession, pertain to the outward law of reverence, in deference to the larger interests of the eternal law of love.

If he takes the ground that these things are not matters only of outward reverence, I have a dilemma for him. Look at it. Either these practices, genuflexions, portures, and so on, appertain to the essence of a sacrament or they do not. If they appertain to the essence of the Sacrament, then was this Church for eighty years, at least, without the sacraments; for I thoroughly agree with the remark of the other deputy from Wisconsin, that if any one of the Churchmen who died ten years ago were to arise to-day he would be astonished. I agree to that, and, therefore I say, that if he takes one horn of the dilemma, then it follows that for eighty years was this Church without a sacrament. If he takes the other, then I call upon him, as I called upon him before, in deference to the law of charity, to give up those things that do offend.

But he answers me, "It is a foolish prejudice, a childish feeling; we cannot give up to mere prejudice." Now let me meet that. I shall use homely language. Pardon me. I was talking with a leading Evangelical deputy on this floor, and this was what he said, and it struck me to be full of good sense: "We do not care as to the personal opinions that these men hold with regard to the nature of the Sacrament; we are perfectly willing that they should hold those opinions; but we do not want, when we go into a church called a church of our own Communion, to be at a certain point of the services, and that the most important point, compelled to leave the sanctuary rather than join in practices, which seem to us idolatrous." I submit that that is common, plain, good sense. I cannot believe there is a gentleman on this floor who doubts it.

I have said that this Church admitted all this range of personal opinion, with regard to the nature of the Sacrament. I was very careful *not* to say that this Church had ever permitted a wide range of symbolism. It never has. It has insisted that there shall be a mean of symbolism, which shall go neither very far on this side, nor very far on that, and that that symbolism shall be the common property of the whole Church, to be interpreted by individuals as, according to their judgment and their conscience, they shall think right, and this is the ground on which we stand, that we will prescribe what shall be the outward symbolism in act and form of sacramental doctrine, and that that shall be adhered to, and from that shall no departure be allowed.

I have done, gentlemen. But let me repeat the programme with which I began. I am in favor of voting down the proposition now before us. I am in favor of accepting in its entirety Dr. Mead's amendment, and if amendments are proposed, reasonable amendments, which shall require a certain minimum of reverence from the other side, I will also cheerfully vote for them. I am also in favor of that last clause which gives us by a short and easy cut, just the sort of court of appeals that we desire.

And, now, gentlemen, I thank you from my heart for this prolonged attention. As I said before, I have aimed to give you an argument of love. God forgive me if one word has been spoken in malice or in bitterness. I asked Him to give me grace to speak to this Council of His Church the words of reconciliation.

Mr. COFFIN, of Pennsylvania. I move that the session of this day be extended to four o'clock.

The motion was agreed to ; there being, on a division, ayes 101, noes 77.

Mr. RUGGLES, of New York. Mr. President, I have listened with great instruction to this most extraordinary debate. I was in much need of that instruction. I shall follow in this debate the laudable example of my friend from Virginia, who addressed us last evening [Mr. Barbour.] I shall stand straight in my place and not move about ; I shall speak with a low, monotonous voice ; and I shall leave off when I have done. [Laughter.]

The proposition upon which we are acting has arisen from a resolution in the last Convention referring it to the Bishops "to set forth for consideration and adoption by the next General Convention such additional rubrics in the Book of Common Prayer as they may deem necessary." They were to be set forth for consideration and adoption by the next General Convention. Under that I claim the right for this body as a part of the prerogative and the liberty of this body (now in great danger), to consider and vote upon any measure in the matter of Rubric or Ritual that may arise in this Church. I claim the power of legislation in this body as a permanently existing power on all questions whatever in any way affecting this great Church, a power not to be surrendered upon any pretence whatever. I claim that when this Church was founded it was composed of three parts, the Bishops, the Clergy, and the Laity. I claim that they were made integral, vital, indispensable parts of that organism, that no two could act at all without the third ; that, therefore, they were co-equal and that either one of the three could at all times interpose an effectual check upon the other two. By that provision the laity (and to them my argument is mainly addressed) have acquired their right to exercise a power in this Church of the utmost importance to themselves and their country,—a right which ought not to be surrendered, but which the Canon before us proposes to surrender.

I propose to resist that with whatever of power I may have here or elsewhere, and never to surrender the right of this laity as long as my life shall be spared. We are embarrassed a little by the deep veneration that we naturally feel for our Episcopal Superiors, the inbred love and reverence for the Bishops that all of us most devoutly feel, and which it is our pride always to acknowledge, rendering them what Burke calls "dignified obedience." As Bishops I hold them in the utmost respect and regard ; but constitutionally I do not admit their superiority to this body in any possible respect. On that we may stand. I believe in the Catholic Apostolic Church. I believe them to be Apostolic descendants of the Apostles, and they might have retained that power. If they had made a Church in this country consisting of Bishops alone, it would have been purely an Apostolic Church with exclusively Apostolic authority ; but for wise reasons, knowing human nature as those wise men did, they did not maintain and retain their whole Apostolic authority, but for good reasons, mainly the love of the laity themselves, and possibly considering (as it has been stated by eminent writers that the laity were originally a portion of the Church and even a part of the priesthood—which I cannot quite agree with they chose in the wisdom of that early day to lay down a part of the Apostolic authority, to place themselves for constitutional, organic purposes on an equality with the clergy and laity, and thereby make this great Church.

It results from that principle that this body cannot

act ; it has no organic life ; it cannot take the slightest movement of any kind whatever as a body, unless the laity participate in that movement. They are a vital portion of the organism, without which the other two perish constitutionally, and on all important questions, we are sometimes required to indicate by the yeas and nays the fact that the laity do thus act with the other two bodies to make it certain that the three powers do concur and unite in the proposed action. If that be so, then it was very proper, in our resolution of the last Convention, that we provided that the Bishops should report additional Rubrics. To whom ? Did we ask them to set forth Rubrics for the government of the clergy ? Did we ask them to set forth Rubrics as including a scheme of Ritual for their own consultations in what they call an Apostolic Council ? No, gentlemen, they were to set forth rubrics to this General Convention, consisting of this triune body, the three parties, each necessary to the whole, and which must decide all questions. I, therefore, take issue with the proposition now before us, that questions of Ritual or any other questions that we can act upon can be referred to the final judgment of any one Bishop, or even of the whole Board of Bishops. They have not the authority ; they must act with us ; they cannot act without us unless they depart and leap over the Constitution, and resume the Apostolic authority which, by the Constitution, they surrendered.

I believe my speech is nearly done. I do not know what more I could say. If the position I have taken is not plain, I do not know what can be plain. I do not know how I can make that truth more axiomatic. When a body consists of three parts, and two parts cannot act without the third, how can you establish any action whereby one third can act with governing authority over the rest ?

But, sir, a word further. The powers which I have thus claimed for the laity as being not only comprehensive, but all comprehensive, co-extensive with every subject of action of this Church, of course, include the preservation of that great palladium of our ecclesiastical structures and liberties, the Book of Common Prayer. No Bishop, no bench of Bishops, not the whole assembled clergy on this continent, from ocean to ocean, with all the Bishops united, can change the one hundred thousandth part of a comma of that work without our assent. Not the least possible change whatever can be introduced into that priceless volume by any clerical authority, Episcopal or ministerial, or both, without the assent of the laymen of this Church, as the third and co-ordinate body.

Now, sir, the Ritual is prescribed in part, at least by the rubrics of that Prayer Book. How then can they send rubrics to any but the General Convention to consider ? Such is the Constitution, and I trust that we shall all try to learn obediently of our instructors, but we have the right committed to us to pass judgment upon every rubric of every species that can be proposed to that Prayer Book. It is not only our right, but it is our duty. It cannot be changed without calling the yeas and nays in this body, and every layman uttering his voice to show whether he gives that assent without which the act cannot be done.

So too, you may say it is a very unfit business for a layman to do. It is not enough that we recognize in the Prayer Book that fountain of "sweet English, pure and undefiled ;" it is not enough for us to recognize that it is our companion by land and by sea, that it is our most precious possession, that we prize it beyond all books that this world has ever produced except the Holy Volume itself—no matter what our

love, no matter what our idolatry for it, it may be claimed that we are not competent to do this properly priestly work. Nevertheless, there stands the Constitution, and there stands our right and there stands our duty. It is a duty that we have no right to abandon. Our successors on this great continent thus placed at liberty, freed from Ecclesiastical rule, except with the consent of the laity, the long line of generations that are to follow us on this great continent, and seek, I trust, the one great assembly of the Church, call upon us not to abandon this right, but to stand now firm by the rights of the Constitution.

Now, what have we before us, too, a proposition brought in to establish a new element in our organic body, to wit, a judicial power. As it now stands, we have the judicial power; we pass a judgment on these rubrics, we laity pass judgment on every ritualistic proposition that can be made here, and sit as the supreme judicature of this Church. A proposition is before us by constitutional amendment, for us to yield up that exclusive power of adjudication, that we now have and confer it upon a Court of Appeal. I will not pretend to predict how that court will be made, how you will solve the difficult problem of the proper equilibrium in that court, between High Church and Low Church doctrines, between North and South, and many other difficulties in the problem.

I will assume that it may be solved; but when solved, the power committed to that court, is to pass final judgment upon all questions of Ritual, showing that the Bishops have it not now. We have got to call into being a judicial power, a Supreme Court, in order that there may be some one body to decide questions of Ritual, which, for want of that tribunal, now rest with us; for who can claim that power? Can we claim it solely for the laity? Can the clergy claim it? Can the Right Rev. Bishops claim it? If neither can claim it, does it not result that the whole possesses it? The judicial power now rests with us, and sitting as the supreme judges we have again, I say, not only the right but the duty to pass judgment upon every question of Ritual, that can be brought into this Church.

Nor is it a useless power, for underneath this is the question, not of Ritual, as gentlemen choose to say (they do not describe it), but the question of transubstantiation, the awful question of the elements of the Holy Eucharist, which I deeply regret should ever have been subjected to critical analysis in any human body like this. I deeply regret that it should ever have been the subject of profane inquiry; but it has been the subject of most profound inquiry for the last thousand years in this world, and has given rise to nearly all the distresses that Christendom has suffered. It has endangered the happiness of nations, caused the slavery of Christendom, retarded civilization. It is in every respect a question of the most transcendent importance. It is not so much the question of Transubstantiation in itself, for the reverent Christian would not scruple much whether to believe in the Spiritual Presence, or perhaps the actual Transubstantiation; it is not a question for the individual Christian; but it has been the watchword to mark the Papal party, it has been the sign of that great domination of Rome under which the world has so long groaned, and against which Protestant Europe protested. They protested that Transubstantiation was the earmark, it was the livery by which Rome marked its soldiers, and without which livery we Protestants, with Cranmer, and Ridley, and Latimer, were hurried down to death at the sag-

got and the stake, and by which were enslaved the liberties of Europe. Therefore, this question of the Eucharist is not a slight question. It is a political question; if we were to go over to Transubstantiation, and those Romish practices, and in that way indicate our adhesion to Rome, we should soon fall a willing captive to her arts; and, for one, I am for resisting all this acquiescence in Transubstantiation at the threshold, and I will go with him who goes farthest to set the face of this Church in the proper constitutional way sternly against those practices.

Now, sir, of the propositions before us, I cannot favor the first, with the utmost regard for the Bishops. I wish my conscience would allow me to adopt it. It is brought forward by friends whom I much love and respect. But there are two other propositions, one of the reverend deputy from Connecticut (Dr. Mead), which is not liable to this constitutional objection, because he proposes to make these practices the subject of canonical law, which has got to be voted for in this House by the two orders, and in the Upper House by the Bishops, and then it will have the triple action which alone can make it valid. Therefore, the proposition of Dr. Mead is not liable to the constitutional objection, though it may not be admissible in other respects. The same is true in respect to the proposition of my learned friend, the clerical deputy from Connecticut, the honored President of Trinity College, for, in his proposition, he makes the committee consist of the three orders—Bishops, clergy, and laymen—and the triple element is represented. For either of those propositions I might consent to vote when the debate shall reach its proper stage, but I have now rather interposed this legal point which has checked the general current of the theological argument we have been indulging in. I have had to feed the Convention with very dry stuff, but it was necessary to bring it in at this moment to mark out distinctly, for one, what I think the laity would do and would not do. And I do not believe, I cannot believe, that the intelligent laity of this Church will ever consent now, after having for ninety years enjoyed the liberty of passing judgment on this and all other questions, to surrender it hastily and thoughtlessly, without any adequate reason, to a power which does not itself desire it.

TRUSTEES OF RELIEF FUND.

A message (No. 65) was received from the House of Bishops announcing that that House had passed the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That the following named Bishops, presbyters, and laymen, nominated to the House by the joint committee appointed for that purpose, be the Board of seven Trustees of the Fund for the Relief of Widows and Orphans of Deceased Clergymen, and of Aged, Infirm, and Disabled Clergymen of the Protestant Episcopal Church in the United States of America, for three years, namely, the Bishop of Delaware, the Bishop of Easton, the Rev. Henry C. Potter, D.D., the Rev.

Morgan Dix, D.D., James F. DePuyster, Esq., Stephen P. Nash, Esq., and William Alexander Smith, Esq.

The Rev. Dr. PERRY, of Western New York. I move concurrence.

The motion was agreed to.

MISSIONARY BISHOP FOR AFRICA.

A message (No. 66) from the House of Bishops, announced that that House had passed the following resolution :

Resolved, That the House of Bishops does hereby nominate to the House of Clerical and Lay Deputies, as a suitable person to be elected missionary Bishop at Cape Palmas, Africa, and parts adjacent, the Rev. William Hobart Hare, A.M., of the Diocese of Pennsylvania.

The Rev. Dr. PERRY, of Western New York. I move that this be made the special order of the day for half past seven o'clock this evening.

The PRESIDENT. We have an order now for seven o'clock, the matter we are engaged upon. The object can be accomplished by suspending the present order. It is moved to suspend at half past seven o'clock this evening the present order of the day, and to substitute for it the nomination just sent down from the House of Bishops of a missionary Bishop, that suspension to last until this is acted upon.

Mr. MEIGS, of New Jersey. I hope that motion will not prevail. It is very evident that the question of ritual, which is so exceedingly interesting, is likely to prolong this session almost indefinitely, and unless some pressure of some kind is brought to bear on us we shall not know where to end. I was almost on the point of making a motion that this body sit in permanent session until it disposes of that important question of ritual, even to the extent of going without our dinners, but I will not make that motion. I trust, however, that it will not be postponed from day to day.

The PRESIDENT. The Chair understands the gentleman who made the motion modifies it, and proposes to make this message the special order of the day for to-morrow morning at ten o'clock. The question is on the motion in that form.

The motion was agreed to.

The Rev. Dr. MEAD, of Connecticut. I rise for the purpose of making a motion which I deem very important on such a solemn matter as is to come before us to-morrow morning as the order of the day. It is the consideration of the nomination made to this House of Deputies and the election or non-election of the candidate, as well as the signing of his testimonials. It has been our practice in times past, I am aware, to consider these solemn questions and act upon them in the midst of a crowded house, where we have not the opportunity for deliberate action, and sometimes where, I am sorry to say, I have seen others, not members of this House, passing down and electioneering for the purpose of getting votes. I now move that when this House sits to-morrow morning on this order of

the day it sits with closed doors, allowing none but members of the House to be present ; and as soon as the testimonials are signed, if they be signed, that the doors be thrown open again.

The PRESIDENT. The question is on the motion of the deputy from Connecticut.

The motion was agreed to.

RITUAL UNIFORMITY.

The House resumed the consideration of the Canon reported by the Joint Committee on Ritual Uniformity.

The Rev. Dr. GOODWIN, of Pennsylvania. Mr. President, I have felt from all I have heard unshaken in the conviction that it is our duty to do something, and to do something decisive and positive. My objection to the last resolution introduced is simply that it seems, considered as a substitute, to be intended to stave off all proper, direct, and positive action on this subject. If it were considered simply as proposing a Committee of Inquiry, it might be substituted, as has been already suggested for the resolution appended to the report of the Committee, and I should not object to that. If we pass such a resolution appointing this Committee *ad interim*, it does not at all preclude our action upon the subject-matter under consideration, whatever may be the intention of it when it is proposed as a substitute for the whole matter. But I beg to call attention to the fact that it cannot operate to that effect, because we have after this the message from the House of Bishops with the Canon passed that is proposed in the report of the Committee, and on that message we can act, and if gentlemen are disposed to vote for this substitute they can still vote for the Canon, and if I should vote for the substitute it would be in that point of view.

Although I made on the floor of the House objections to the Canon proposed in the report, when I supposed it was a proper and feasible thing to endeavor to perfect the action of the committee as far as we could, and that we were bound to do our duty in that particular as far as we could, yet I have sought the floor chiefly in order to say that I see nothing for us to do feasible on this subject but to adopt the Canon as it is brought down to us. It may seem, to some, that it is a great contradiction, and a new conversion for me, to have come to this view, but I call your attention to the fact which I stated before, that the Canon contains in itself the contradiction of that interpretation which was placed upon it by the member of the committee who explained it, who was the deputy from New York (the Rev. Dr. Haight). And it was because he, speaking as a member of the committee, and explaining to us the meaning of the Canon, and explaining it to us to mean that the English Canons of 1603 were binding on this Church anyhow ; it was because that doctrine was brought in here and propounded from that high authority, that I was ready to stand up against that view of the case. I stated then, as I restate now, that the first division of the Canon proposed does flatly contradict such a

conclusion ; and upon that basis, and the explanations of learned lawyers on the floor of this House, I am willing (because we must do something, and I believe we can do nothing but that) to go for the whole Canon, for it does not re-enact the Canons of 1603, it does not recognize them in terms as the law of this Church, for it declares that this Church has no law except what it has itself adopted or provided. If it goes on to declare that those Canons to a certain extent and under a certain qualification are the law of this Church, then I am ready to understand that it makes them so by that declaration, and that it makes them so just so far as that declaration goes, and that is so far as they were in use on this particular subject in the year 1789. I hold that as it has been explained to us by learned lawyers, and as it stands on the face of the Canon itself, it is a false statement to say that the Canons of 1603 are in a body the Canons of this Church, except so far as they have been superseded, or repealed, or changed. We have never repealed any of them.

I am now ready to waive the difficulty I had, because I am not bound by the explanation of one member of the Committee. It is a two-edged sword, it cuts both ways. Be it so. I am ready to submit to all the inconveniences that might come to me or to men who think as I do, on the one side. If we are required to wear surplices and never to put on the black gown in Divine service, what do I care for that ? If it is once settled that that is the law and usage of this Church, I would as lief wear a surplice as a black gown. Suppose it comes that there is to be a pulpit in the Church ; so much the better, let there be a pulpit in the Church. That is nothing against me ; but on the other side. Suppose it comes to bowing at the name of the Lord Jesus. That was a custom in this Church, and if it is decided to be a custom of this Church, I am not ashamed or afraid to bow at the name of the Lord Jesus. I trust, however, it could hardly be urged that it was the usage of this Church in 1789, that every time that name was mentioned in Divine service, all the people bowed with lowly reverence. I trust that will not be found to have been the fact, but even if that be the fact, and it be laid upon us, I will submit.

It has been said that there is no need of this legislation. I shall state but one fact out of a multitude of facts that I might tell, but do not, in regard to a difficulty in the Diocese of Pennsylvania at this present moment. I will state to you a fact which I have on most undoubted authority from a gentleman who was cognizant of it himself. A lady, accustomed to attend service in one of the so-called Ritualistic churches, on one occasion invited her friend, a Roman Catholic lady, to go with her and see the performance. She went, and she saw and heard and came away. The lady who invited her to go was led to ask, "Well, what do you think of it ?" Her answer was, "I must confess I prefer the simplicity of our own Church." [Laughter.] I suppose that may be considered an index of extreme Ritualism. I think there is need of doing

something here for the respectability as well as for the true honest Protestant character of our own Episcopal Church.

Now, Mr. President, I yield as far as regards the matter of the Canons of 1603. Then we come to the third division. I have heard nothing that changes my mind upon that subject. We do not constitute a court here ; we do not constitute a legislature there. Are we not told, "We cannot legislate upon this subject ? Did we not try six years ago and we could not do anything ? Did we not try three years ago and we could not do anything ; and we asked the Bishops to do something, and they appointed a committee of learned Bishops to act in the recess, and we had their report." And now we are going to say, perhaps under this resolution that comes first, we cannot do anything now ; we do not know enough now ; we are not ready to act now ; we must put it off ; we have not any Canons on this subject ; nobody knows what they are ; we cannot make any Canon. It is so intricate a subject, so difficult a subject, to manage that we cannot do anything. We told the Bishops at the last Convention we could not do anything, and referred the matter to them. Are we going to tell the world that we cannot do anything now ?

What then ? Here is a great evil, here is a great difficulty, here are great questions, asking for solution ; shall we acknowledge before the world that we cannot solve them ? It is imbecility, it is impotence, it is something. I think it is time there should be some end of litigation, and if we cannot make an end of the litigation, then it is well for us to submit to some authority in some way or other that can make an end of the litigation. That is all we ask. For that there should be not ecclesiastical trials. Of all things in the world ecclesiastical trials are exactly that thing which the third section of this Canon proposes to dispense with on this subject ; it is precisely that which it proposes to avoid ; it is to seek the solution and decision of this subject by a summary process. But that is tyrannical say some. But we must have a decision. We cannot make a decision, we cannot make any Canons ; we admit that, then, we must have a summary process or the thing must go on in its involutions and confusions and distractions ; and can we find a better summary process than that proposed ? We said before, "Go to the Ordinary and take his advice." The Bishops told us in their Pastoral Address, three years ago, something on this subject. We have had the personal advice of the Ordinary in Pennsylvania, and in other cases, in vain. We have had the Pastoral Letter of the House of Bishops in vain. "We respect the Bishops," say gentlemen, "but they have no right to control us in this matter." We referred it to them. They gave us their godly judgment, which comes to nothing. That is where we stand.

We must take one step further, either legislate ourselves or provide some means of summary dis-

position of this question. If we can legislate ourselves, well and good. I am ready to vote for the amendment proposed by the venerable deputy from Connecticut (the Rev. Dr. Mead), and I do not object to it that it is all on one side as far as it goes. Go further if you will; put in more counts if you please; it does not hinder as much more legislation on that subject as you please to put in hereafter. It goes so far and so good, and I am ready to go for that; but then it seems to be understood that we cannot do such a thing as that.

Now what is the summary process that is complained of? Suppose we had that legislation, this must remain. Suppose we had more legislation, there must be some process of disposing of it if we would avoid ecclesiastical trials. I should want a shorter and easier process, and I think the one proposed in the Canon is precisely the most natural and perfect that could be proposed. That does not hinder this Church at any time from declaring by Canon, as much as it pleases, upon the subject of Ritual. We can make as many Canons as we can find the way open for us to make, to determine as specifically as we please, what is the law of Ritual in this Church. Mr. President, do we suppose, are we going to stand here and presume, that the Bishops would decide without regard to the Canon law of this Church, that they would give a written determination without regard to the Canon law of this Church? If we find in any of their determinations anything that this Church would prefer not to have, all we have to do is to make a Canon to determine what is the law of this Church, and the Bishops will decide according to the law of the Church. I venture to say that they will decide according to the law of the Church; but do you say every Bishop will? No, it might be that a particular Bishop would decide wrong. What then? It has been shown over and over again that as a matter of course that decision could be brought to the House of Bishops, because any other Bishop might act on his own motion; and if there were any observance which one Bishop forbade, or any observance which he required, which a second Bishop would not forbid or would not require, he could make out his case in his own diocese, and decide it, and thus have it brought before the House of Bishops. If there were any diocese in this land in which there were a contrary custom, he could prove it by any clergyman within that diocese. If, however, in the first case, that which was prohibited, or that which was enjoined by the first Bishop, were a matter of Ritual, the like of which was not to be found in any other diocese or in any other congregation of this whole Church in the United States, I think that the decision might be allowed to stand; but if it were found in any congregation in any other diocese in the United States, the case could be made up and carried to the House of Bishops. The fact is that it is left to the whole bench of Bishops to settle summarily the question in this manner. That is the way it stands. Can we trust them? When we have made as many Canons as we think we can make, can we not trust them? I think we can trust the House of Bishops on a subject of this kind. It is external rites and ceremonies of the Church according to the laws of Ritual which this Church may have, on which they as Bishops are to decide. Suppose the whole House of Bishops decided a question of Ritual of this sort and any man in the Church thought it was a hardship or a wrong, I say again, as I said before, where are we? We are an Episcopal Church, and we have the House

of Bishops on one side on a matter of this kind, and we are on the other. If this House of the clergy and the laity are on the other side, they have but to enact a Canon. But I may be told the House of Bishops will refuse to pass that Canon. That they could do in any case, that we cannot help ourselves about in any case. There we must be left anyhow. Without this third section, if we wanted a Canon of Ritual anyhow, we could not get it without their consent. If we want to regulate this matter at all, we cannot get at it without their consent, and with their consent we may get at any time. We are not concluded by this measure at all.

It has been said that we might have forty diverse decisions. Mr. President, as the matter stands now, we might have four thousand diverse decisions for anything I know. We might have a diverse decision in every congregation in the country, in every parish in the land, and now there is no remedy for the godly counsel of the Bishops answers no purpose, and we do not want ecclesiastical trials. Forty diverse decisions! How do we now stand on the points of fundamental doctrine in this Church? Suppose the doctrine of a clergyman is called in question in this Church, and he is charged with heresy; how is that to be settled? It goes to a court in his own diocese. That court in his own diocese decides that question. There is a question of fundamental doctrine decided. Here is another diocese, in which you may have an opposite decision. Here is another diocese, in which you may have another decision. That matter stands so, now, without any recourse to an appellate court, without any means of determining uniformity. Can we trust these diocesan courts, and can we not trust the whole House of Bishops? We trust these diocesan courts on questions of the fundamental doctrines of this Church, on questions of heresy. Can we not trust the whole House of Bishops on a mere question of external ritual.

I am still in favor then of the Canon, without the third portion of it cutting both ways as it may. It is not only to decide upon matters of excess, but upon matters of defect. It is left by them to decide both ways. It is a two-edged sword, and there let it hang.

If there is to be, after so long an effort, no legislation on this subject now, and no promise of legislation hereafter, for that follows, if there is to be no legislation to repress the abuses and extravagances of Ritualism while there is and has been legislation to repress excesses in what is considered the opposite direction, on the part of those who are called Evangelical or Low Churchman, if that is understood to be the position of things in this Church, let me tell you what will be the result, though I am not a prophet, and I am not here to threaten anything.

The Missionary Board of this Church has proposed to certain voluntary associations, that they should unite with it in the Missionary work of the Church, and in the various organizations by which this Church works. I most cordially agree and assent to that proposition. While I hold that every member of this Church has an undoubted right to do what he will with his own, and has a right to unite with his brethren in doing what they will with their own and voluntary organizations of that kind, have a right in this Church, yet I would think that if there were no cause for their existence, they were unnecessary, and most earnestly would I agree to any efforts that should bring us together hand and hand, heart to heart, in the great work of Christ in this Church, and I should hope that my brethren, in those voluntary societies, would

in large degree be ready to come into this work with their brethren of the Church, without any distinct societies, and I would go for it with all my mind and all my heart, and thank God that there were a hope and an opportunity that such an end might be accomplished. But I stand here and say that, if this phenomenon is to take place again, and we are to say that we can repress the Evangelicals, and we will, and that we cannot or will not repress the Ritualists, then I do not believe that those societies will ever come in to work with the general organic boards and organizations of this Church. Under such circumstances, they will not. They will never consent to be a mere tail to a Ritualistic kite. I speak not for myself here, but that is my belief in regard to them, and I would be most thankful to God if we might take some such course in regard to this matter as should injure no man, but be fair and just to every man in his Church, and then that we might go home and say, "From this time forward we will work and live together as brethren."

Mr. HOWE, of Indiana. Mr. President, I was glad to hear the remarks of the learned deputy from New York (Mr. Ruggles), for he spoke precisely to the point which I myself have been trying to get the floor to speak upon, and I shall speak upon it but briefly, and that is as to the validity and constitutionality of the last clause of the proposed Canon, which is now before the House. The words of the Canon are as to those parts to which I object:

"It is hereby declared and provided, that in all questions arising concerning Ritual Observance, the Administration of the Law of Ritual of this Church, whether for enforcement or for restriction, appertains to the office and duty of the Ordinary."

That may be well enough, but the next part is objectionable:

"Whose official written determination, whether of his own motion,"—mark you, "of his own motion"—"or at the official demand, either of a rector or of a vestry, shall be held to be the settlement of any question which shall at any time arise concerning Ritual."

What is the legal, the literal, and the common sense import, I ask you, of those words? What is to be the effect of a decision of the Ordinary, when thus invoked or when made of his own motion? Unquestionably final, except in one given instance, and that is in case of an appeal. But is a party, upon general principles of law and justice and equity, bound to appeal from a court that has no jurisdiction? No, it is contrary to all the principles which ought to prevail and must prevail in all courts. I care not what they are, whether ecclesiastical or civil. The effect of this determination of the Bishop is to make it final, unless the party implicated appeals. Now, let me suppose a case. Suppose that in the course of his duty and under this Canon if it passes, a clergyman shall see proper to do some particular thing in relation to which he receives a written notice from the Ordinary, his Bishop, that that proceeding is condemned, and he is notified to desist from the practice of it in the future. What is that? It is a judgment, it is a final judgment, a conclusive judgment, under this Canon, unless he chooses to appeal from it, and no man is bound, upon common principles of equity and justice, to appeal from any decision. The decision must be legally given in the first instance, and given by a legally constituted tribunal.

I have not heard this point discussed. I dare say it has arisen in the minds of some learned deputies, and I think the learned deputy from New York re-

ferred to it in his remarks. But, if there be any one thing that to mind is susceptible of absolute demonstration, it is the proposition I have just made, that such a sentence, such a judgment given by the Ordinary, upon his own motion, without witnesses, without a court, must upon general principles be entirely invalid. How can there be a doubt about it? Suppose then, that after having received this written notification, the clergyman thinking that he is right, that the counsel or sentence of the Bishop is neither godly nor just, sees proper to go on and to continue in the same course of practice. He is brought up before a court. What court? He must be brought up before one of the legally constituted courts of his diocese; he cannot be tried in any other way. The clergyman or ecclesiastical lawyer, whoever he may be, whose duty it is to draw up the charges, states—what? He states, after setting out the substance of this Canon, perhaps, that the clergyman has been guilty of such and such a practice, in relation to which he received the written notification of the Ordinary, that it was not legal and he was required to desist from it.

What would be the course of proceeding of a counsel employed by the clergyman in such a case? What would be his manifest duty? To demur to the complaint, to say that upon legal principles it could not be sustained, that the determination of the Bishop was not the decision of a court of judicature, valid and binding upon him, or upon anybody else. His lawyer, at all events, would call it not *res adjudicata*; he might either demur to it and say, "Here, on the very face of it, this is the sentence of a court that is not legal; it amounts to nothing one way or the other;" or, he might plead in bar to it, that he had never been tried by any legally constituted court and, therefore, was not bound. Unquestionably he could do all this; and what ecclesiastical tribunal, duly advised by proper counsel, could ever find him guilty? I put that question to the Convention. If they could do it, they would imply in their decision that the mere arbitrary *dictum* of a Bishop, not in the course of any judicial function, but upon his own mere motion, was a valid and binding judgment.

Gentlemen, this is contrary to the Constitution, which is the protection of us all, and which, I agree with the learned deputy from New York, we ought most religiously to adhere to, not merely for the sake of saving the rights of the clergy, but the rights of the laity. The rights of the clergy are involved; so also are those of the laity; they stand and fall together. Their rights in relation to this particular matter stand together. In Article 6 of the Constitution, it is provided that "the mode of trying presbyters and deacons may be instituted by the convention of the diocese." That means—what? It means that a court shall be established for the trial of all these matters; but here you make the arbitrary *dictum* of a Bishop final. It may happen to be just; but what of that? It is not legal. You make his arbitrary *dictum* equivalent to a valid and binding judgment of a court of judicature, which, under the practice of most of the dioceses, consists, I believe, of a clergyman with two assessors,—a court that hears evidence, a court that has not the privilege of simply notifying a man that he has done wrong, and therefore pronouncing judgment in his absence without giving him the privilege of a hearing, without giving him the privilege of showing that he has not committed any wrong under the Constitution and Canons of his Church; but upon the mere arbitrary *dictum* of the Bishop he is at once thrust aside.

I undertake to say upon general principles of law that in such a case, according to the decisions of some of our courts, this judgment would be held a nullity (and it ought in an ecclesiastical sense to be so held) because suppose the minister is engaged for five years we will say at a salary of \$5000 a year, what right has any man to turn him out of his parish (for that is the effect of it) without giving him the benefit of a legal adjudication? I undertake to say that the thing cannot be done. This is the balance-sheet, so to speak, of this whole Canon. If this falls, the whole system upon which the Canon is based must fall also. I do not know that it might be amended by striking it out. Perhaps it could, I do not stand here merely as a critic to condemn the action of the Committee. My object is to perfect the Canon as far as it can be done, and then I intend to vote against it. At all events I think it my duty to be candid in all that I say; to make it as perfect as I can.

If the Convention agree with me in this, the only effect would be perhaps upon a motion to strike this out, it may be stricken out if this House choose; but they can let it remain. If they let it remain, I think it invalidates the whole canon, destroys its effect. It might be remedied, and then perhaps this objection would not remain.

I will proceed to remark very briefly on the Canon as it would stand if it were deprived of this objection, by striking out this section. How then would the Canon stand? It has been said in the course of the argument, and perhaps the criticism was just and sound, but it was a mere verbal criticism after all, that there never were any English Canons in force in the colonies of this country previous to the Revolutionary war, or up to 1789. About that I have not the slightest doubt that there never was a Canon in force; there never could be a Canon in force here upon any principle of law that I am capable of understanding. I will tell you what I think was in force. There was in force the Ritual of the Church of England, so far as it was adopted by the colonies. Take the case of Virginia. By what right, by what law, was the Church sustained in that colony? Doubtless, by the act of the colonial legislature, either expressly or impliedly approved by the Crown. That was the foundation upon which it rested. There was no Canon law as I understand. There can be no Canon law where there is no Bishop; where there is no Diocese. Nominally, the clergy who officiated there, were subject, I suppose, to the Bishop of London, but they were subject to no Diocesan in this country. How then could it be said that there was any Canon law in force here? However, I am free to admit most candidly that this is a mere verbal criticism. It perhaps would have been more proper to say "the usages and customs observed in the celebration of Divine worship in the colonies of this country, under Canon law, or under anything else, up to 1789." That there were usages and customs founded upon Canon law, prescription, I have not the slightest doubt. These, I think, would have been the proper terms to employ; but I do not stand here to criticise the action of the Committee. I know what they mean; and I am willing to take their meaning. They mean substantially the same thing that I have said, I presume, and under that, there can be no difficulty.

If I were compelled to vote at all, if I were morally bound to vote in favor of some proposition or other in relation to Ritual, and to vote affirmatively, I should, without any hesitation, adopt this Canon. I have

criticised it to the best of my ability. After I first read it, I read it over again, and I thought it was obnoxious to many objections and most particularly to the objections that were urged by the learned gentleman from Illinois and others, that there is what they call a kind of common law underlying the Canons of this Church; but upon examination, upon careful scrutiny, I do not believe that the position is well taken. I adopt the argument of the learned gentleman from Massachusetts, and another learned gentleman of the clergy (the Rev. Dr. Schenck), who spoke this morning. It is a sound, legal argument, I think, that there is no law that is binding upon this Church of ours, unless it be Canon law. There may be usages and customs, which may be erected into a Canon in such a way that the breach of those usages and customs may be declared to be an offence and may subject the offender to presentation; but, *per se*, the mere usage and custom cannot be called a common law, because that means nothing else than that system by which you vindicate a man in the possession of his property or by which you may punish an offender, and that cannot be implied of mere usage and custom.

I think, therefore, on the whole, the positions are not well taken and I am free most candidly to admit, for I do not suppose I shall ever be a member of this Convention again; my ambition does not run in that direction—I am free to admit that after the most careful scrutiny I can give this canon, it is as unobjectionable as any system could possibly be offered to my acceptance, and if I were bound to vote affirmatively for anything, I should vote for this. I think it has come to this, that we must either adopt this or we must reject everything. I will say here that I am not in favor of the proposition of the reverend gentleman from Connecticut, the President of Trinity College. I believe that this House is to-day better able to decide this question—I will not say than any future House can be, but I will say as well. There certainly is intellect enough in this House and abundance of it to be able to decide, and to decide with a good deal of propriety fairly upon all the arguments that we have had *pro* and *con* in this case, and I believe that if the question is ever to be decided at all, and I must admit from all that I have seen, all I have heard (and particularly because it seems to be so insisted upon by men who stand so high in this Church, veterans, if I may so say in the Church,) that we ought to come to a decision upon it, and I hope that we shall, although for myself I cannot vote for the measure.

The PRESIDENT. The hour for adjournment has arrived. The House stands adjourned until 7 o'clock this evening.

EVENING SESSION.

WEDNESDAY, October 25, 1871.

The House resumed its session at 7 o'clock, P.M.

SWEDISH SERVICES.

The Rev. Dr. PERRY, of Western New York. I move to concur in message No. 62, from the House of Bishops, respecting the licensing by the various Bishops of services in the Swedish language for Scandinavian congregations.

The motion was agreed to.

ADDRESS TO DEAN OF CHESTER.

The Rev. Dr. PERRY, of Western New York. The Rev. Dr. Howe, of Pennsylvania, left in my hands the draft of an address agreed upon by the Committee which was ordered by the House to prepare an address to the Dean of Chester. I present the draft in his behalf and move its acceptance.

The PRESIDENT. Will the House adopt it without reading it?

Mr. WELSH, of Pennsylvania. As it has been adopted by the joint committee, I think we can safely approve it without reading it. I make that motion.

The motion was agreed to.

PRINTING OF CONSTITUTIONS.

The Rev. Mr. FARRINGTON, of New Jersey. I offer this resolution, which I think will lead to no debate:

Resolved, That the Constitution of the General Theological Seminary, and the Constitution of the Domestic and Foreign Missionary Society be published as an appendix to the Journal of this Convention.

I will simply say that these two Constitutions were passed fifty years ago; they have been amended at various times since, and have not been printed in the mean time in any Journal of the Convention to my knowledge. They are, therefore, inaccessible to the great body of the clergy throughout the country. I desire to have these two Constitutions printed in their present form in the forthcoming Journal, so that every clergyman can have access to them.

The resolution was agreed to.

RITUAL UNIFORMITY.

Mr. STARK, of Connecticut. I desire the attention of the House to a matter which is designed to help forward the dispatch of business, and not in any way to hinder or fetter the debate upon the question which is now under consideration, being the report of the Committee on Ritual Uniformity. I move you, sir, that the House come to a vote upon the pending amendment at 9 o'clock to-night, if it is not reached before, and for this reason: It is quite evident from the debate, that there will be amendments to the proposition submitted by my reverend colleague (Dr. Mead), and there is no way for submitting those amendments to our consideration until after the ground has been cleared by disposing of the pending motion which was offered by President Jackson.

The Rev. Mr. EGAR, of Pittsburgh. I make a point of order that that motion is not in order, not being one of the enumerated motions in the rules.

The PRESIDENT. Several times the Chair has ruled that any order which the House may make calculated to facilitate business and bring it to an end, is in order while the main question is pending.

Mr. STARK, of Connecticut. I will only say that from the course which the debate took this afternoon, it is quite evident that the attention of the House is fixed entirely on the proposition contained in my reverend colleague's amendment and in the original *projet* of a Canon submitted by the joint committee, and that the House has exhausted

debate really upon the proposition contained in the amendment of President Jackson, and we may therefore facilitate business by coming to a vote on that at some specific hour, and I have named nine o'clock.

The Rev. Dr. BURGESS, of Massachusetts. I had the honor this morning to offer a motion, for the purpose of facilitating business, that the speeches on this subject be confined to a quarter of an hour each. Since that motion was made, we have heard three deputies entirely through, and another deputy partly through his speech, and thus the whole day has been consumed. I know several gentlemen who are prepared and anxious to speak on this subject, and I do not think, after the prompt action which was taken this morning to prevent the passage of such a resolution as I offered, we ought to come up this evening, after having heard only three or four gentlemen to-day, and then cut off those who propose to speak to-night.

Mr. STARK, of Connecticut. My motion does not cut off debate. The debate goes on.

The Rev. Dr. BURGESS, of Massachusetts. But many gentlemen wish to discuss the general question on the pending motion.

The Rev. Dr. HANSON, of Alabama. I hope the proposition of the deputy from Connecticut will not prevail. There are many persons present who wish to speak on the pending amendment, and I do not think we can come to a conclusion as early as nine o'clock.

The Rev. Dr. ANDREWS, of Virginia. I move to amend the motion, by providing that discussion on this whole subject shall close at half past nine o'clock, leaving half an hour thereafter for the chairman of the committee to close the debate, and that the speeches in the meantime be limited to quarter of an hour each. In this way we shall make room for a considerable number of speeches, and at this stage of the debate a man can make a great deal more impression in a quarter of an hour than he can in a longer time. To-morrow there will be a great turning out of the House.

The Rev. Mr. FARRINGTON, of New Jersey. I hope this motion will not be put now. I think it will be time enough to make such a motion after the gentleman from Indiana [Mr. Howe] has finished his speech. I suggest, therefore, to the gentleman from Connecticut, that he withdraw his motion, and renew it after the gentleman from Indiana shall have concluded.

Mr. STARK, of Connecticut. I am very reluctant indeed to decline accepting the proposition of the gentleman from New Jersey; but I desire to have the House distinctly understand that the object of my motion is not to hinder, restrict, or fetter debate. It occurred to me, however, that the debate upon the principle involved in President Jackson's proposition was entirely exhausted, because the entire day has been spent in discussing the merits of the proposition contained in the amendment offered by my venerable colleague [the Rev. Dr. Mead]. It was simply to facilitate the dispatch of business, and to bring the House to such a condition that it could receive and entertain amendments to the Canon proposed, that I made this motion. We are now prevented from doing that. After the pending proposition is disposed

of, it is evident that the main proposition must be amended, or it must be open to the opportunity for amendment. The object of my motion was to bring us to a vote upon the pending question, that then the original proposition should be before us for amendment.

The Rev. Dr. BURGESS, of Massachusetts. I would call the attention of the learned deputy from Connecticut, to the fact that the proposition of the Rev. Dr. Jackson is practically a motion for indefinite postponement of the whole subject. Hence, everything which can be said in favor of the general proposition is against that substitute. If that proposition prevails, it carries the entire subject, I think we ought to continue the discussion of the entire subject until we have finished it, and then proceed to act on the substitute and the amendments.

Mr. STARK, of Connecticut. It was distinctly stated to-day in the House, that the message of the House of Bishops would bring before us the same proposition and be capable of being amended by this House. The proposition submitted by President Jackson is a distinctive proposition in its own nature. It is to create a Joint Committee to investigate this subject and report three years hence. After we dispose of that, the message from the House of Bishops will come before us to be concurred in or not concurred in, and upon that question the whole debate will be thrown open. I do not see how it is possible to preclude the debate, and I shall be most happy to listen to a speech from the gentleman from Massachusetts, or any other gentleman who may have anything to offer on the subject.

The Rev. Dr. RICHEY, of Minnesota. I submit that the proposition now made is not one which, according to justice, can be entertained in this House. The debate has been begun, and it has proceeded, to a very great extent, under rules of order laid down by this House itself for the government of the debate; and while the question is still in dispute, an attempt is made to change those rules of order that this House itself has laid down for the government of the debate. I submit that this ought not to be done. I submit that this is an attempt by that change of rules of order, to alter the conditions under which all lawful debate in any assembly can take place. I submit that while the question is under debate it is not in the power of the House to change the rules of order under which that debate has taken place. If the rules of order are to be changed, let the debate cease, and let the House then adopt new rules of order for its government.

Mr. CHURCHILL, of Kentucky. I think there is an entire misapprehension about the effect of the motion made by the deputy from Connecticut. I should vote against his motion if it cut off debate; but my friend from Minnesota is mistaken in supposing that it does cut off debate. It only enables us, by 9 o'clock, to dispose of the substitute now before us. I think that gentlemen have heard enough debate on that subject, and are prepared to say whether or not they will take action upon this ritual question at this session.

Now, suppose the motion of the gentleman from Connecticut [the Rev. Dr. Jackson] shall be

adopted, what will be its practical effect? It will of course dispose of the whole question, but the subject will come up again in the message from the House of Bishops. If that motion is carried, it will show that this House want to postpone the subject until the next session. I take it for granted that every gentleman in this body has made up his mind whether or not he wants the question decided at this time. Suppose, on the contrary, that the substitute be not adopted, what then will be the state of the proposition before us? The measure will be open to amendment, by way of substitute, or in any other form, and any gentleman will have a right to offer an amendment, and to discuss the whole question upon it. I know half a dozen gentlemen who have amendments to offer which will require thorough and full debate.

The Rev. Dr. RICHEY, of Minnesota. Mr. President—

The PRESIDENT. The gentleman from Minnesota has already spoken once on this question, and cannot speak again under the rules. The House will indulge the Chair in saying that, having watched very closely the proceedings of this House at its two preceding sessions, I see no way in which justice can be done to the members who have not spoken upon this subject, and at the same time a vote be reached while there is a quorum of the House, but by limiting the time of the speakers. In the two last sessions of the General Convention, I never saw more beautiful instances of close thought and condensation, than when the ten minutes rule prevailed during the last eight or ten days of each of those sessions. That will enable nearly every gentleman who desires to speak to express his views fully and much more forcibly than if he thought he had two hours to go on.

The Rev. Dr. ANDREWS, of Virginia. I understand it is the sense of the House that debate shall be limited to ten minutes, and I will put my amendment in that form, that the vote be taken at ten o'clock, and that the preceding half hour be given to the Chairman on the part of this House of the Joint Committee.

The Rev. Dr. HAIGHT, of New York. My honored friend, the chairman of the committee, has abandoned the report, and I think some other member ought to be allowed to speak in behalf of its report.

Mr. WELSH, of Pennsylvania. The committee can arrange that among themselves.

The Rev. Dr. MEAD, of Connecticut. I only wish to have it understood that I shall have the floor at some time before the debate closes. I do not want over ten minutes.

The Rev. Dr. HAIGHT, of New York. I only want it to be understood that some member of the committee shall have a chance to defend their report.

The amendment was adopted, and the motion, as amended, was agreed to.

The PRESIDENT. The Canon on Ritual, reported by the Joint Committee, is before the House.

Mr. HOWE, of Indiana. Mr. President, to avoid all possibility of misunderstanding, allow me to qualify one remark which I made this morning to the effect that the Canon now before

the House met my approbation, provided I was under a moral compulsion to vote in the affirmative for some proposition or other of this kind. I mean the Canon amended so as not to be made obnoxious to the constitutional objection which I raised, and which I believe to be incontrovertible. It is not my business to amend this Canon. It is the business of every father to take care of his own child; it is the business of every committee that reports a project and of its own particular friends to bring it in a suitable form before the House and to clear it of all objections. That is their duty. Nevertheless, I desire as a representative here, to merge the partisan in the judge. The usual qualities or feelings that are carried into an ordinary house of debate and vote, ought not to be carried here. We ought, on this matter, to act judicially as far as possible, to keep our minds in as judicial a frame as possible, and every deputy, no matter what his views may be about a particular measure, has an interest in seeing it perfected and made as perfect as it can be before it passes, because its operation is upon and over all. Therefore, if the friends of this Canon would not think me going out of the way and offering something which is not my business, I would suggest that I think this difficulty could be obviated by simply saying that these matters shall be referred to the godly advice and counsel of the Bishop, but that his decision shall not have what it is now said it shall have, the quality of a judicial act, but shall be simply godly advice and counsel, which a Bishop frequently gives and which the presbyter usually receives, and that if the Bishop wishes to proceed further and carry his *dictum* into a *res judicata*, as the lawyers call it, a judgment, he shall bring the matter before the regular constituted tribunal which binds the presbyter and which alone can bind him. He has a right to a trial before his peers. His peers are those of his own class, presbyters, made so by almost every Constitution I believe. He has a right to a trial there and he cannot be bound until there is such a trial. With a proviso of that kind, I think the Canon in that particular might be cleared of objection.

Now, a few words in relation to the Canon itself. I said that if I were morally compelled to vote for a proposition of this kind, I should think that I could have no better than this. If this matter is continued over until another session, what will you have? You will have this same thing after all. That is my candid judgment. I have studied it; I have criticised it in my own mind, and I believe that my criticism has failed in every particular. I thought, when I first read it, that the position afterward taken by the learned Canonist from New York, who opened the discussion, was a sound one. I had thought of it myself that this Canon law was already a part of the law of the Church, and that the proposed measure was, to a great extent, simply a declaratory law. I do not believe, however, that that position is strictly sound, although it is not a very material question here. Neither is it very material that the word "Canon" is used instead of "usages under Canon." That would have been the most proper term. As it stands now, it is sub-

ject really to this criticism, which is a just and sound one, that if there was any Canon law in force in the State of Virginia, the whole law made to support the Canon law was in force also as an incident to the principal; and what does Mr. Jefferson say in his notes on Virginia? He contended, as late as between 1780 and 1789, that at common law in Virginia the writ *de hæretico inquirendo* was in force. Would gentlemen apply that here? If they did not materially but spiritually, it might turn out that "the blood of the martyrs" would be "the seed of the Church." Strictly speaking, therefore, taking the words as they mean, I do not believe the doctrine is sound that there was any such thing as Canon law in force here then, so as to bind a Churchman. It might have been in force by virtue of colonial acts, but those perished with the Revolution or were afterward repealed, and that was the end of them. They either perished, or were repealed before 1789. But this is mere verbal criticism.

Now, then, let us gather up the *disjecta membra* of this memorable debate, and see where we stand. Let us see if we can look on this picture and on the picture of the English Church, and compare the two Churches,—see whether they look nearly alike. I do not think there will be found to be a very great difference, for, if we adopt this Canon, what will be the result? I do not think the Canons of the English Church in relation to ritual are very important. I think it will amount pretty much to this, that it will be simply resolving that we will stand by our old customs and practices as evidenced by our Book of Common Prayer, and our Canons that we have already adopted, together with those other Canons that will be reported to the next House, and our old usages and customs as to dress and the manner of conducting Divine worship and administering the Holy Eucharist, Baptism, etc. I think we shall stand pretty much where we did before. I doubt whether there will be any very essential difference in the administration under this new system. I think that the change will be a very slight one. I believe the learned committee had this matter under their own consideration, and I incline to think that this is the view they themselves take. I have no right to say so, for this is a mere conjecture of mine. I do not think it would make any essential difference in the position we should occupy, and if the matter is to be solved at all, it is immaterial whether this is the best solution, for it is the only solution, I believe, as a practical man, that we shall ever reach. Whoever, therefore, is resolved in his own mind to vote for anything of this sort, had better take the proposition that is now offered him, and he had better vote for it now. It ought not to be left until another Convention.

I should vote then for the original proposition as it was reported by the Committee if I voted for anything. Now one word in relation to the amendments offered by the reverend and venerable deputy from Connecticut (Dr. Mead). There is one thing

about them that commends them to us. They are plain and can be known of all men, and they follow the Canon of Scripture. There is one thing certain, they are very plain. There is great plainness of speech. They follow the Canon of Scripture in that they use great plainness of speech; he that runs may read. It will not bear the same test that I recollect it was said was required in framing a new code in the State where I reside. Under their Constitution a Mr. C. who was not a lawyer was to sit and two lawyers were to sit by him preparing the new code by paragraphs and read them to him. Some wag of the law remarked that the object in appointing Mr. C. was that he should hear those paragraphs read by the lawyers, and if he could understand them, every man in the State could understand them. [Laughter.] I do not think any such test as that is necessary in this case. I think that every man, woman, and child would understand the amendments of the gentleman from Connecticut without an interpreter. But they are obnoxious to an objection which I will point out. They are too literal; they undertake to do too much. The carrying of a cross is forbidden and so is going in a procession. How easy it would be to dodge all that and instead of having the choir march into Church, to have them come in informally and seat themselves somewhere in the chancel, and instead of having a cross or a crucifix they might have the figure of a globe with the Virgin Mary. This would be, literally speaking, no breach of the Canon. When you undertake to administer criminally any law that inflicts penalty it is to receive a strict construction. You could never convict any party under that, and it would be like Hercules slaying the hydra, for every head he cuts off a hundred similar ones would spring up. You cannot legislate in that way; all experience proves it. How was it in the great State of New York, when they adopted what they called their new code, when a great many tinkers thought they were to get up something very new and nice; and suit was followed in several other States.

The PRESIDENT. The gentleman's time is up.

The Rev. Mr. EGAR, of Pittsburgh. I am sorry that I have only ten minutes, for I want to speak on several points. I am not a Ritualist. I do not often say Amen [pronouncing it *Ah-men*] or any of the other things; but I have this interest in this matter, that if we have a law at all, I want a fair and honest law. I believe the law which is proposed to us in this Canon is not fair and honest. Some gentlemen have been telling us what they have seen and heard in ritualistic churches. I want to tell what I have seen in a church which was not a ritualistic church, and I humbly think that in a Canon which relates to the ritual and due and solemn reverence in Divine worship, such a thing as that ought to be taken care of. I have seen after the administration of the Holy Communion the plate given to a warden to take down the aisle, and to pass what was left of the sacred elements to the people as they were moving out of

church; and I have seen the elbow of that warden struck, and a large amount of the elements jostled and thrown on the floor; and I have seen the elements picked up, so much of them as were in large pieces, and a large amount of crumbs lying on the floor to be trodden down by the feet of the people who came to afternoon service. It seems to me that something ought to be done to guard this Church against irreverence in that direction. I called the attention of one of the members of the Ritual Commission who sent down the report which first came to us, to the fact and pointed out to him the consecrated elements lying upon the floor.

Mr. President, we are asked, "What are Ritualists?" I want the Convention to understand what the only practical definition which has been given on this floor of a Ritualist, is. In the first place, we all acknowledge that in some sort we are Ritualists, because we use a Ritual, and every person who uses a Ritual, I take it, is a Ritualist, in a certain sense. If you want to put down Ritualism altogether, then you have got to put down the worship of this Church. But there is a distinction, and that distinction is drawn by one line that has been given in this debate by one of the two gentlemen from Virginia who spoke yesterday, and the reverend deputy from Massachusetts also gave the definition. They told us that this Church was sound, as they called it, upon the subject of the Holy Communion, inasmuch as it did not allow what one of the gentlemen called the "heresy" of the Real Presence. Now, I want this Convention to understand that the *animus* of all those who have been actually, really, and sincerely engaged in advocating this measure is, to put down that which the great majority of this Church believe to be true, and which a minority believe to be a heresy. There is the practical distinction. The reverend deputy from Massachusetts told us that that was like the column in the centre of the chapter-house, from which everything depended. Now, I want to say one word in respect to the definition of doctrine which that gentleman gave us.

How gentlemen can stand on this floor and tell us that there is no Real Presence in the Sacrament (I use these words now with a sense of the highest awe, on a most solemn subject, and with sorrow, now that I am obliged to speak in this way, but I cannot permit these statements of doctrine to remain unchallenged), how can gentlemen deny that there is a Real Presence, if they have ever learned their Church Catechism? For, what does the Church Catechism tell us in respect to a sacrament? It tells us that a sacrament consists of two parts—an outward and visible sign, and an inward and spiritual grace—that is to say, a sacrament is a whole, of which there are two parts, the one visible the other invisible; that, in respect to the Lord's Supper, the visible part is bread and wine, the invisible part is the body and blood of our Blessed Lord. Now, when you define a sacrament that is to consist of two parts, one of which is the body and

blood, I do not see how you can eliminate from that the one part and leave the other part alone.

I object then to the doctrinal basis on which this argument has been conducted. I say the gentlemen who have given us this definition of a Ritualist which it is designed to put down are going in the face of the Catechism and are going in the face of the whole of the doctrine of this Church. That is to say, so far as they have given us a definition of the thing as a tangible thing they tell you that if you admit that doctrine which the great majority of us here do admit, all these other things follow logically from it. The reverend Deputy from Massachusetts told you, the lay deputy from Virginia yesterday told you that these things followed from it. Now, Mr. President, I am not prepared to admit that these things do necessarily follow from it; but what I ask this Convention to do is to see that when they make a law on this Ritual question, they make a law which does fairly represent the mind of the Church, and does fairly represent the mind of the Church upon this most essential doctrine.

Now, a word with respect to the question whether this will do what it is expected that it will do, and I am speaking now with respect to the Canon reported from the Committee. Gentlemen have given us from various sides their views as to what the Canon means, how far English Canons are applicable, what must be the ruling of the counts under them and the judgment of Bishops, and some gentlemen have convinced themselves that they were in force in this Church by the very simple plan of going and studying these Canons to see whether they trod upon their corns or not.

This will give us a rule which is not certain in its application, for this reason: you have got to apply to it principles of interpretation. I will mention one principle. In the first place, is your Bishop, when he applies this rule to your practice, whatever it is, going to interpret the rule by the principle that everything which is not expressly commanded is prohibited; or is your Bishop going to apply the rule that everything which is not expressly prohibited is voluntary on your part? You do not touch that question. Everything which the Ritualist desires the Ritualist can get—I am speaking now in the popular sense—everything which the extreme Ritualist desires, he can get out of this law; it is only allowed to understand the principle of interpretation. In the first place let us take the first sub-section of the second section of the Canon, "the Book of Common Prayer," not of the Protestant Episcopal Church, mind you, but "the Book of Common Prayer as the same has been."

The PRESIDENT. The gentleman's time has expired.

The Rev. Dr. BURGESS, of Massachusetts. I will not take more than ten minutes, and I would not at any other time. An allusion which was made by the speaker who spoke before the last, to this Canon as being the child of some person, reminds me of our experience in General Conventions for years past, for I have been in General

Conventions since the year 1844. It reminds me of what has become of these children. Some of these children seem to have been taken, set aside, perhaps, by their parents, perhaps by others, to the charge of persons who have carried them out, carried them away from this Convention, and they seem at last to have been lost, like the children in the woods, in the wilderness of projects, and there to have perished. But other children have come up to a fair growth and a strong growth, and then we have taken them and by venesection, and in other ways, have depleted their strength and drawn out their life until they have reached that point that even the best doctors of the Convention have hardly been able to feel their pulse and find that there is any life in them. And then some that have passed beyond that point have been, as it were, bound up and placed in charge of custodians, and during their natural life have remained there.

We have here a child that has been sent us, as it were, by the Church and sent us with a good deal of strength and brought before us with a great manifestation of life; and this child has passed through the first of these stages and has not suffered from it. Now we are to begin this depletion of the life and the strength, I fear, of this child and of this Canon, until it will come to be almost meaningless before it is passed unless we watch carefully over it and see to it that we pass the Canon just as it stands and in no other way. That is the point which I design greatly to reach. Let us oppose any effort that there is to postpone this matter in any shape. Let us oppose also the rejection of this Canon and carry out with us to the Church, as we go out, something which has been done by us. I can tell brethren it is hard enough to overcome that mighty power in nature, and a mighty power in the Church, the *vis inertia*. Now that it has been overcome, let us roll on the wheel and guide that wheel. The great body of the communicants seem to have taken hold and to be endeavoring to roll this wheel for us. Let us aid them and let us reach a practical result. There is precedent enough for postponement, precedent enough for voting down this matter and for doing nothing, but we shall honor ourselves, we shall honor our Church, and I think we shall do that which is acceptable in the sight of our Lord at the last day if we accomplish something in this year 1871 with reference to ritual. And let it not be said that this Canon of ritual will remain always. It is but for three years and the very Canon itself seems to speak as though it might be changed and probably would be changed at the end of those three years.

The Church ought to be able to hold those who are members of the Church and not to have them go away; neither to drive them off, nor to allow them to go off. We ought to hold them with bonds of love; we ought to hold them in every way. Let our ritual then be such as not too be strict, so that they may remain with us.

My brother from Massachusetts this morning

spoke of the sevenfold doctrine in Baptism which he would allow. I would allow sevenfold ritual in Baptism; I would allow sevenfold ritual throughout the Church if only we may be kept a united body. And let it be remembered that this Church is to be the Church of the millennial ages, and is to spread throughout all the world, and let us arrange our ritual, that since bad and good, as in the Gospel of last Sunday, must be gathered in, the ritual may be strict enough that the bad shall not bring in their errors and keep them within the Church after they have come in.

And now one word in regard to public opinion, spoken of last evening. I agree with my reverend brother from Connecticut, (Dr. Jackson), that the law may be based upon public opinion; but what are we but the representatives of public opinion, and what is this law which we shall form to-night, if we form it, but a law which is based on public opinion? We bring public opinion here, and we are endeavoring to express it, at the same time remembering our oaths in the sight of God; and the law itself will manufacture public opinion. Those who go contrary to that public opinion at the present day may be taught and by the very law itself; and if I were to establish a manufactory of public opinion, I would establish it in the second story of the manufactory of canons itself, and see what the effect then would be.

There is a single other point upon which I would speak for a moment, and that is one which has been referred to in the last address. Is it necessary that we should have a Canon to elevate as well as a Canon to repress? I think not. The difference between those things which are left out and those things which are put in is as wide as heaven is from earth. I would have a man go without a surplice all the days of his life before I would have him do some of those things which are represented as being done by our brethren in the ministry. The good taste of the Church and the rules of the Church which have already been laid down and have already been sustained will I think, bring the clergy up to the right point. And I see that the laymen are educating the clergy in that respect. I see the laymen coming forward to receive the elements of the Communion, even in those cases where the clergy would send them by hands other than clerical hands, down the aisle to be devoured somewhat irreverently, or perhaps by accident to be scattered.

All I have to say to the Convention is, above all things, do not say "do nothing." Let it be said of the Congress of the United States, "it is well that it shall adjourn having done as little as possible," but let that not be said of that Convention in which we believe the Lord Jesus Christ to be presiding, that Convention which has had the prayers of the entire Church now for these last three weeks; let it appear that that Convention has endeavored to do the right thing. If the right thing be nothing, let it be nothing; but let it not be boasted or spoken of in any improper strain of us that when we have

adjourned doing little, we have done better than when we adjourned doing something.

The Rev. Dr. FRANKLIN, of Indiana. Mr. President, I have waited very patiently to obtain the floor and am satisfied to speak only for ten minutes, because I have only one point to speak to.

I feel, and every man who looks over the history of the Church and sees what has passed and what is now going forward, must feel that there is the beginning now of an era. I do not speak disparagingly of the Reformation, but with high reverence of the Reformation. I do not speak disparagingly of the Middle Ages, but with high reverence for the Middle Ages. I do not speak disparagingly of the first four centuries of the Christian era, but with high reverence for them. But I see in each of those four periods, eras. The early history of the Church presented to us our Lord as man. In accordance with the vision of the prophet Ezekiel, as was read in the Opening Service of this Convention, the living creature representing Christ's body, the Church, lifted its wings and moved straight-forward through the first centuries, with the head of the man to the front, Christ, our Life, God-man. And then the living creature let down its wings. There was fearful and sorrowful corruption. The time came when she should rouse herself once more, and with the head of the lion to the front, and in the Middle Ages the Church of the Living God did her noble, glorious work, and taught those robber barons and those kings no better, that there was a power superior to their own, the Lord God, whose right it was to reign. And the living creature pursued her flight, and corruption followed, and she let down her wings. And then at the Reformation, looking truth in the very eye, with an eye that blenched not when gazing at the sun, moving straight-forward, seeking but truth, pure and simple, the living creature took that flight for 300 years, and now she is letting down her wings because the corruptions incident to that one idea have shown themselves in the Church. We feel it, we know it, we see it who stand on the verge of the outworks, at the sentinel posts of this Church; we see that in the mere and single and simple pursuit after truth this nation, this generation is now beginning to inquire "what is truth?" and the answer from all our popular current literature and from all our thinking young men and young women too, is this: "truth is to you what you think; truth is to me what I think; there is, therefore, no truth." The living creature is letting down its wings; the Reformation has done its work; one more flight, and that the last. With the head of the ox, representing the one true sacrifice, the living creature is once more raising its wings. This is the era in which we are now commencing the history of the Church.

Sir, there are men in this Church who, filled with that idea, ready to give their lives for the promotion of that idea, that Christ, our blessed Lord and Saviour, the one true sacrifice, once offered on Calvary, evermore continually presented at God's right hand, of which one worship, for God is one and sees Calvary and the present age and the future all in one, —there are those who are ready to stand with their lives in their hands for the setting forth of that glorious truth that Christ, the one sacrifice evermore presented, is represented on the altar, not by a repetition, not by an offering again, but by a union in one act of the sacrifice on Calvary, the presentation of that sacrifice,—“Do this in remembrance of Me, of-

fer this as My memorial." And that conjoined with the continual presentation evermore at the throne of the Almighty, is the one truth that the living creature with the face of the ox to the front is now joined forth and setting forth in this world.

Sir, I know Ritualism only by one year. It was just a year ago that, in travelling from the West, I met the first Ritualist I ever saw, and I was attracted by him. He reminded me of my old Congregationalist Sunday school teacher. There was the same spirit in the man. He was full of our Blessed Lord and Saviour. I recollect the last time that I saw that Congregational Sunday school teacher, he gave me almost a blessing as he said to me, "My time is almost up; oh, I am soon to return to the Master." And this Ritualist, whom I met, spoke in all his words and in all his ways, with the simplicity of a child, with the same earnest, evident, devotion to our Lord Jesus.

Now, sir, I am not intimately acquainted with him or with any other one of that decried body? I do not speak for them, or as their representative, for I have no right so to do. But, sir, I raise the voice which I have had the honor of raising on every occasion, on which I have stood before this august and venerable body and I cry for liberty,—not license,—“the liberty wherewith Christ hath made us free.” Can we not trust this living body of Christ to correct what is evil, what is excessive, or indeed what is defective, for it is all one question? Do we not believe that our Lord is in and with His Church, that He will guide her, that He will protect her, and can we not trust her?

I would gladly dwell on this theme longer, but time forbids.

But, sir, the point that I wish most carefully and distinctly to make is this: that even bringing to the work the venerable experience of the old Nestor of this Convention, bringing to it whatever wisdom or power you may have, you cannot legislate for Ritualism. It is a thing of life and growth. Ye did not make it; ye cannot destroy it. Ritualism excessive, ritualism defective, will both work themselves out in this living body, the Church, and do what you will, you cannot stay those currents. They represent two principles of human nature, the subjective and the objective, that will evermore exist, and in our grand, broad, Catholic Church, there is room for both.

The PRESIDENT. The gentleman's time has expired.

The Rev. Mr. ROGERS, of Texas. Mr. President, I had not intended to raise my voice on this matter until I came to feel that I had something particular to say to my brethren of the clergy. The church where I minister knows nothing of either defective or excessive Ritual. I am no Ritualist one way, or anti-Ritualist the other. I have never preached a sermon that would lead my congregation to know that there were two parties in the Church.

Three years ago, when this question came up, I was not inclined to the opinion that there should be any legislation upon the matter. Since that time, I have come to feel that I would be glad that there should be such legislation as should give a broad liberty on the one side, and the other. I have felt that I would be willing, nay, glad, to know when entering a church whether its services were within the law or without. I came to this Convention prepared to vote for any good, honest, liberal law upon Ritual; but I am sorry to say, with all my confidence in the Committee of both Houses, before whom this matter has been, that I cannot agree to the report that is now be-

fore us as it stands. It might be amended, perhaps, so that I could.

Now, brethren of the clergy, I am going to talk especially to you. I am a law-abiding man, and so are you law-abiding men. If there is a law of Ritual, you will be determined to know what it is, and to live by it. If this Canon passes, I will set myself down, first, in the spirit of the ministry to which I belong, next in the spirit of the profession to which I originally belonged, determined to know what the law is.

Going away from our Prayer Book, so soon as I know what that is—and I feel that I know it now—I shall be remitted to the laws of England. I am bound to go to them for two hundred and sixty eight years. I will examine them thoroughly and well. I will ascertain as a minister and as a lawyer, what they are.]

It would be an easy matter if I could end there. But when I have ascertained what those Canons are, I am brought across the ocean by this Canon to decide another matter, a matter that is not so easily decided; that is, whether they were “in use” in this country prior to 1789. If it had said “in force,” I should know what they were. When my first examination is closed, I must go to the matter of “use.” Now tell me where shall I begin, for I do not know. I must go to the Churches of this country and hunt their musty records to see what was done there, and I find no records upon it. No man to-day writes in his book of records what he wears or how he performs his services; neither did they a hundred years ago. I must summon up the dead past of a hundred years if I can in its grave-clothes, to tell me what was the usage of that time, and it will not come. Then after I have searched day in and day out, until I come to the conclusion that there is nothing upon which I can rely, if thereupon I can frame an opinion of what the usage was, I pass along.

But it does not end there. By this Canon I am sent to the legislation of the Church from 1789, down to this very day. I go to our Canons here passed, to our Journals, and I hunt them through year by year, until I find that I know nothing of what we have done, because we have done nothing. I then go to the different Journals of every Convention of every diocese of this Church, and I hunt the same through to find what their usages were, because this Canon remits me to them.

Then, if I am not satisfied as a minister and as a lawyer, I call in counsel to help me and come to a conclusion as to what is the law. If it is that I shall strip of the surplice, I strip it off; if it is that I shall wear the black gown in administering the Holy Communion, I put it on; and determined in my heart that I will obey this Canon to the very letter, to the very best of my ability, I go to my service. If I enter into the dominion of a Bishop of high ritual notions, the very first time I administer before that holy altar, I am reported, and he comes down upon me with a judgment that sets me entirely aside. No matter, though my sources of information, may be as great as his; no matter, though I may have examined as thoroughly as he can have done; no matter, though I may know as much of the law as he can know, yet it all goes for nothing, my examination is thrown to the wind, and I am inhibited on the spot in doing what I believe to be the law.

If, on the other hand, I am in a diocese where defective ritual is the order of the day, and the Bishop believes that,—he is governed, as men are, in his examination by what he wills to be the law, more or less,—I am turned directly around from the order I

had prescribed myself the day before, and sent to the right about.

Now, gentlemen, right here begins my great objection to this Canon. It is a matter of law what I shall do; it is a matter of statute what I shall do; and yet in the judgment that comes down upon me, there is neither law nor trial. That man in whom I may have the utmost confidence as a Christian, who is my father in God, is made my judge,—not the judge to admonish me, but the judge to prohibit or command me. I have no chance to go before him and plead the law. I am a transgressor if I violate the law; but that is never tried. I transgress in the legal sense, as this Canon makes it, when I refuse to violate my conscientious convictions of what the law is. I am denied the right of a trial by my peers. There is no country under Heaven, where there is a jury, that a man is not allowed to be tried by his peers for a violation of law. But here you are about to decide, if you pass this Canon as it is, that I shall never go to trial before my peers upon the very question of law that is at issue. The crime is not that I refuse to obey my Bishop, when I believe that he is commanding me against law; that is not the real crime; but it is made the crime, and he degrades me, not because I act against the law of Ritual, but because I refuse to sacrifice my convictions of what the law is at his arbitrary command. You are making the Bishop my judge, and at the same time you are making him the fountain and source of law. You are declaring that here is a law I shall be governed by, and yet you are declaring that the Bishop is the only judge of that law and that all the convictions I can get by examination, go for nothing in this matter. It is a monstrous proposition in my estimation.

The deputy from Virginia said, yesterday, that we are living in the day of law; we are living in a day when men do not dare to be tyrants, when tyranny will not be tolerated. Why, gentlemen, are we not a free body? Are we not entitled to declare that we will have a source of power above us, that others might call tyranny; if we will? If we make this our bed, we must lie in it; and every man that helps to put a Canon in force here that makes a power above him, that is above all law and above his convictions of law, and that if he disobeys, even though he know it is not legal, he is liable to degradation, has no right morally, however much he may have legally, to object to it.

The PRESIDENT. The gentleman's time has expired.

The Rev. Dr. McNAMARA, of Nebraska. Mr. President, I was born a Ritualist; I was baptized almost immediately in the most ritualistic Church in the world; but before I was baptized I was swaddled in the masonic insignia of ritualism. My swaddling clothes were the insignia of Masonry. As years passed on, in the providence of God, I went to Middletown, Connecticut, where there was the great teacher of the Church, the Rev. Dr. Samuel Farmar Jarvis, and in listening to him I discovered the difference between Pius the Fourth's Creed and the Creed of Nicene. I had the honor to go to Sunday school with the eloquent gentleman, now a delegate from Wisconsin. We were both taught by Dr. Samuel Farmar Jarvis. We differ hugely now, however. [Laughter.] We went to school together there, and we went to school in New York together. When we were matriculated in the General Theological Seminary, the Rev. Dr. Haight, of New York, was the Professor of Pastoral Theology, and his matriculation address was

directed immediately against those men who lick the dust before the Sacrament, and the son of the late Right Rev. Bishop of Vermont was the man who wrote the resolution that that matriculation address should be published, when there were members in the Seminary who were opposed to the publication, and I seconded the motion, and the motion was carried, and the matriculation address was published. That was in 1847. That was early experience, sir, in the history of this Church on Ritualism.

Previous to that time, however, to show that I was not only born a Ritualist, but brought up one, I was in St. Paul's School on Long Island, and there I had the privilege to burn incense in the chapel. [Laughter.] I never was indoctrinated in the devotion of the service. I never preached in a black gown—never. When I was ordained deacon, it was by the Bishop of Maryland, Bishop Whittingham. When I was ordained priest, it was by Bishop Kemper, of Wisconsin; and on the day that I was ordained priest, in 1850, the distinguished and learned gentleman from Wisconsin (the Rev. Dr. Adams), brought in a Canon against Ritualism, and it is now the Canon on Ritual uniformity in that diocese. It resulted in driving—I will not say driving, but compelling—one of those worshippers of the outward and visible sign or form in the Lord's Supper, the worshipping of bread and wine, the outward and visible sign of the Sacrament, not the inward and spiritual grace, to go into the Church of Rome. Sir, if I want to worship the inward and spiritual grace, I will worship the man who receives the outward and visible sign.

Now, sir, I maintain that if the General Convention will not give us a law restricting these practices, the dioceses must take up the subject; and that is the point to which I wish to call special attention. If you do not legislate, the dioceses composing this Church will legislate on this subject; and they will crush out Ritualism.

Sir, I have had experience all my life in this matter. I recollect that on one occasion the Bishop of Wisconsin, the Rt. Rev. Jackson Kemper, refused to accept a clergyman because he was unsound, as he believed, on the faith. He called for his book on Ritualism; that book was handed to the Bishop, and he showed me two leaves torn out wherein the adoration of the Elements was advocated.

I have had the privilege to have had two or three churches in the West to which the Bishop of Wisconsin sent me (however energetic you may suppose me, gentlemen, by this exhibition), by my tact and by my management to crush out Ritualism. The Bishop of Wisconsin sent me a letter to remove those insignia from the altar of the Church at La Crosse, the candlesticks and the Sanctus, sanctus, sanctus, Holy, holy, holy, when the priest elevates the Host and the clerk rings the bell and the crowds of superstitious must bow down. "Take them all off," said he. I replied, he had better come and take them off himself; and he did it. He came and took them off, and that Church from being a poor, weak, puny affair, became a strong and established parish, and it remains so today, one of the most important in the diocese of Wisconsin.

I repeat, I have had considerable experience in this matter, and I speak from experience. The dioceses will manage this subject. We shall have a Canon in Nebraska that will crush out these Romanizers and these worshippers of the outward and visible sign.

Mr. FORSYTH, of Albany. Mr. President and

gentlemen of the Convention, I do not regret this discussion. I come from that part of the country where they are in the habit of calling things by their right names. I have been invited, in the course of this discussion, by able men upon this floor, to accede to propositions which I cannot accede to. I will give my testimony on those points as it is too late to enter into arguments before this Convention.

I say I do not regret this discussion, and for the reason that it is bringing before this Church and before this country the great subjects which are involved in the work which the Church in this country has before it. Ritualism, whatever it may mean, seems to be in this body in some way or other, in some form or other. It is a thing which is dreaded on the part of some gentlemen, and not feared on the part of others. It is a question which is brought home to our attention by the situation of the Church in this country as we have it and derive it from the mother country.

As I am on the question of Church, I am ready to give you my opinion. I do not hold, with gentlemen on this floor, that the Church is not more than ninety years of age, or that it had its origin in 1789, in Virginia, when the General Convention adopted the Constitution under which we now live. I hold the Church to be a Divine institution, as old as the Christian era at least, older if we go back into the Jewish period. I hold the Christian Church to be a continuous body. I hold it to be visible by its orders, its Bishops, its priests, and its deacons. I hold the Church to have a common law, a Canon law. It was born into it in this country as every one of us is born subject to the law of the place that gives him birth.

Gentlemen talk about there being no law in this Church except what is found in those Canons that were in use in this country in the year 1789. Why, sir, it goes clear back to the beginning. Where is our Canon of Scripture if the Church is not the custodian of it, the keeper of it? It has come down through all this series of ages in the custody of the Church, the common law and keeping of the Church. It has been kept in that way.

I think the Church cannot be originaled in a town meeting. No number of men can get together in Virginia or in Massachusetts, and resolve that they will be a Church and set up some man to preach over them. I have been taught altogether wrong if the views advanced here by the gentlemen from Massachusetts and Virginia, whom I respect for their character and position in the Church of God, are correct. No, gentlemen, those views are not to be maintained; they cannot be maintained.

I repeat that I do not regret this discussion, because it brings us to the consideration of the work of the Church in this country. It gets us ready for those questions which are coming upon the Church. It prepares our minds for the investigation of those subjects. It opens them to the country. Although the debate has been somewhat exciting, it has been altogether profitable, whatever our action may be here to-night or to-morrow on this question.

Now, Mr. President, I have not heard yet an answer or an attempted answer to the position as-

sumed by yourself on this floor that this Canon is unconstitutional, because it devolves the power of making law upon the House of Bishops without the concurrent action of this House. That argument cannot be answered; the position cannot be met. The House of Bishops by this proposed Canon is turned into a legislative body without the concurrent action of this body, which is a part of the National Convention, the legislative body of this Church. I thank you, sir, for having put us in possession of that argument, which has not yet been answered, and I do not see how it can be answered.

Now, gentlemen, on this subject of legislation, I do not propose to go into any argument. I look upon the thing from this point of view: you cannot make a Canon which can be sustained or enforced. My friend, the learned layman and lawyer from Illinois (Mr. Judd), will drive a cart and oxen through any Canon on ritual that you can make; and with the aid of my friend from Maryland (Mr. Carter), who gave us his argument here last night, I think he would get the cart through with a load of hay upon it. [Laughter.] Gentlemen, you have not yet got the public sentiment in the Church that can enforce any such thing. It is not called for.

Let me ask you, who are the petitioners for this action? I live in a diocese of some 12,000 communicants, more or less, and there is not a man of them here asking for any legislation on this subject. I suspect that the whole movement comes from our clergy who are apt to put on spectacles of a high power and magnify everything into enormous proportions. I suspect there is the difficulty; that in the course of the last three years, in the course of public discussions and speeches, these gentlemen have erected a thing which is a bugbear to them, but it does not disturb the laity at all. I tell you the laity want worship, the laity demand worship, the laity will have worship. The clergy of this Church are not to blame for ritualism; it is the laity behind them. The laity will have it, and the clergyman who resists it will be submerged by the popular current. The laity demand that this Church shall keep up to its forms and professions. They ask that it shall keep up its worship to the grade of its Rubrics; and as for this idea of Romanism—

The PRESIDENT. The gentleman's time is up.

Mr. RACE of Louisiana. If there be anything in the adage that in a multiplicity of counsel, there is wisdom, by this time this House ought to be very wise on the subject of ritual.

I should like to have thirty instead of ten minutes to express my views on this subject, but as I am confined to ten minutes I must come at once to the question.

It has been asserted here by able jurists, and the position has not been seriously attacked, that the Canon law of the Church of England enacted in 1603 and in use in this Church in 1780, is the law of this Church. I deny it, and I think I could prove that denial to the satisfaction of any twelve men who ever sat in a jury-box, if I had the time to do it. The learned gentleman from Ohio (Mr. Andrews), who opened that battery said, "Why, sir, we inherited the common law of England in

this country and the title deed of my house I hold by reason of the common law of England." If that gentleman would turn to the fifth clause of the Preface of the Prayer Book he would find that this Church was free of all law in 1789. If he would turn to the 34th Article of Faith and the last clause of that article,—I wish I had the time to read them, because they would make my argument stronger—he would find that that Article of Faith announces that the law of England has no application to this Church. If the law of England has no application to this Church, how does it happen that the Canon law of England is the law of this Church to-day?

The learned deputy from Virginia (Mr. Sheffey), who made a most elaborate argument on this subject, told us the same thing in substance. "Why," said he, "the States of South Carolina, Maryland, and Virginia, inherited the Canon law of 1603;" and by way of a clincher to that argument he told us that the State of Virginia adopted that law by legislative enactment. Why, sir, that proves too much. When, in the history of Virginia, the mother of Statesmen and of Presidents, did she do so vain a thing as to enact a law then a law? The very moment that the Legislature of Virginia passed a statute enacting the Canons of 1603, as the law of the Church of Virginia, she said in emphatic words by that act that that was not law before; she reiterated the Article of Faith.

The 35th Article of Faith, in the last clause—and I am confining myself now to the Prayer Book—says that the law of England is not binding upon us. Was not this Canon law of Edward VI. the law of England? The argument here is that it is binding upon us and is law for us because it was the law of England. The Article of Faith says it is not binding upon us; and one of the learned deputies from Virginia (Mr. Barbour) quoted to you but last night, I believe, from the decision of Judge Phillimore, an eminent jurist in England, to show that these Canons are not law in England to-day. Why and wherefore, then, are they law here? Where is the necessity for this argument? Where the necessity for lugging in as part of the Canon law of the Church of this country laws which no man knows, laws the larger portion of which are totally inapplicable to our Church and condition, laws which have been decided by a high jurist in England not to be laws there?

But one of two things must be true; in the first place, that these Canons are now law; and that is the argument of the learned and venerable delegate from New York (the Rev. Dr. Haight) who presented this report, that these Canons are now law, and, whether we adopt this Canon or not, will remain law. Then they are law upon us by reason of being Canons of this Church, are they not, because they are Canon law? Is not that the argument fairly and legitimately drawn, that they are our law because they are our Canons, because they are Canon law? If they are Canon law binding upon us, have we not the right to repeal them? Most unquestionably. That right is given to us in the last clause of the 34th Article of Faith, and in the fifth clause of the Preface to the Prayer Book, it being there asserted that this Church is not only free, but has a right to repeal and alter all these

things, so that it is done in order and does not disturb the faith, which there is no pretence that this would do.

Now, a repeal can be made in two ways: first, by implication; and second, by direct statute. The learned deputy from Massachusetts (the Rev. Dr. Vinton), who made an admirable argument on this subject, showed the House conclusively that these Canons, if they ever were law, were repealed by implication; that is to say, by adopting some of them by special enactment of the General Convention. Therefore, that act repealed them by implication. Now, I can show that this Convention has repealed them by a special statute. I ask you to turn to the journal of the last Convention, Title IV, Canon 3. Before I read it, bear in mind that the position of the advocates of these Canons is, that they are Canon law binding us. Now, Canon 3, Title IV., says:

"These Canons shall take effect on the first day of January, in the year of our Lord, 1860; from and after which day all other Canons of this Church are hereby, and shall be deemed to be,"—

What? In force? No; but "repealed." Does not that settle the question? You have repealed those laws. Concede, for the sake of the argument, that we inherited these Canons, that they were a portion of our glorious inheritance; in 1858 you repealed them, brethren. There is an end of that matter. I wish I had time to elaborate this subject—

The PRESIDENT. The gentleman's time is expired.

Mr. WELSH, of Pennsylvania. I have obtained the floor to ask the clerical deputy from Connecticut to withdraw his substitute for the purpose of allowing me to introduce the one which I hold in my hand.

The Rev. Dr. JACKSON, of Connecticut. I have been appealed to to withdraw my amendment in order to allow my friend from Pennsylvania to introduce what he has in his hand as a substitute. It was my intention afterward to introduce to this House something additional to the substitute which I offered last night, in case it should be adopted, in the way of Canon or resolution, in order to provide a more positive safeguard during the next three years for this Church against the evils which are felt and complained of. I had not, however, as yet seen the point where I could offer it. By the proposition of the gentleman from Pennsylvania, some of the chief objections which I had to the Canon reported by the joint committee are obviated. I feel that the rights of the clergy are to be protected by trial. I feel that the determinations of the Bishops are not to have the force of law, but merely moral force. Under these circumstances, looking to the fact that this is to be provisional, that its force is not to extend beyond the next General Convention, I am willing to withdraw my amendment and accept this as a substitute.

The Rev. Mr. LEE, of Kansas. Cannot we hear the other proposition read, so that we may have some choice in the matter and see if we are willing to agree to this substitution or not,

The Rev. Dr. JACKSON, of Connecticut. I ask the consent of the House to withdraw my amendment.

The Rev. Mr. LEE, of Kansas. We cannot consent without hearing the other read.

The Rev. Mr. FARRINGTON, of New Jersey. Let us hear the other read.

Mr. MEADS, of Albany. The question belongs to the House, and it is for them to decide.

The PRESIDENT. Yes, sir. The House desire to hear the proposition read.

Mr. WELSH, of Pennsylvania. It is this:

Resolved, That all after the word "*Resolved*" be stricken out, and Message No. 50 from the House of Bishops be inserted when amended as follows: after the word "*determination*" in the sixth line of Section III., insert: "*Provided*, That said determination shall have moral force, but no legal effect unless in case of a trial and judgment by a legally constituted Court." And also insert the following words at the end of the Canon: "*And provided also*, That the operation of this Canon shall cease on the assembling of the next General Convention."

The PRESIDENT. Will the House grant leave to the gentleman from Connecticut to withdraw his amendment?

Leave was refused.

Mr. WELSH, of Pennsylvania. I will now state that in due time I shall offer this amendment as a substitute in case the amendment offered by the clerical deputy from Connecticut is voted down; and I will state my reason for doing it. As a member of the committee, I felt bound to do what I could to perfect the Canon. The learned deputy from New York (Mr. Ruggles) and the learned deputy from Indiana (Mr. Howe), did point out defects in it. I think those defects are remedied in this proposition. It was my belief as a member of the committee, that we should do nothing if possible to bring about trials; that we should do everything to bring all the moral force of the Church to bear upon wrong-doers.

The objection that I had to the amendment offered by the deputy from Connecticut (the Rev. Dr. Mead), was, that it undertook to be specific, and yet it did not cover the whole ground. We realized in the committee that that would be an impossibility; that we must either say too much or too little. There are hundreds of things not mentioned in that amendment which are just as objectionable as anything which is mentioned in it. It was but yesterday morning that I went to early communion at one of our churches, thought to be one of the least objectionable, and there I found the cup lifted up and bowed to each time. And in England, in the diocese to which the clerical deputy from New York referred, I asked the Bishop's son whether all the moral force of his father (and who has more?) had enabled him to cleanse his diocese from that which troubles it. He said, no; that there were a set of men who owed allegiance to another power, who believed there was a higher power than the Bishop.

We find, then, that it is utterly impossible by precise legislation, to meet all cases. This Canon, as I think a majority in this House are prepared to say, comes as near as anything we can do to meeting the exigency. I think the objections that were

raised, are removed in my amendment, especially that of the learned deputy from Indiana, under whose supervision this amendment was prepared, removing, as I think, the great difficulty from the Canon, because, as he argued, and as we all believe, unless there was a regular trial, it would have no binding force before any court in this country. But before the moral force of the Bishop is exhausted, I feel sure that all our difficulties will be removed. I therefore will wait until due time and then offer this amendment.

The Rev. Dr. MASON, of North Carolina. Mr. President, I have much to say on this subject, but as I understand I am confined to ten minutes, I can only touch those points of my argument which are of the most importance. If my time will allow me, I will then go back to that which I intended to make the beginning of my argument.

The first thing that I shall take notice of is the difficulty into which we fall by having words that are of extensive meaning, and yet not taking care to understand at the particular time what is the particular meaning of the word as it is presented to us.

Now with respect to that expression which has been so much objected to, "*the Real Presence*," I never use it; but certainly if you come to consider it properly there must necessarily be a Real Presence, and yet at the same time there may be a very false and unreal idea and a very strange one with regard to the Real Presence. The Real Presence then is Transubstantiation. I trust none of us believe in that. The Real Presence, on the other hand, in the other extreme, if I may so call it, may mean that which the Church teaches us, that to the worthy, faithful recipient the body and blood of Christ are received after a Heavenly and Spiritual manner. It does not pretend to define what is that Spiritual and Heavenly manner. The declarations of doctrines of Scripture are not to be conceived by us; they are to be received as facts. The doctrine of the Trinity is not to be conceived by us; it is impossible for us to conceive it; we are to take it as a fact; and so it is with regard to the Real Presence, the Spiritual Presence of Christ. There must be a Real Presence there, spiritually present. Christ is spiritually present.

But then again, suppose a recipient is not a faithful person; is there any Real Presence to him? Surely not. How can it be? Does he receive the body and blood of Christ spiritually? No, sir.

Therefore it is very necessary for us in the discussion of any subject when words are presented to us which have an extensive meaning, to determine what is the exact meaning of the words in those circumstances.

Thus it is with regard to the word "*Ritualism*." Why, sir, there is no worshipper that I know of in any body of Christians whatever, that is not a Ritualist to some extent. Take the Quaker, who I suppose will be generally considered to have the least ritualism of any; is not he a Ritualist? What are his broad-brimmed hat and his straight-cut coat

but his own ritualism which he has substituted in place of the ritualism of the Lord and Saviour Jesus Christ,—Baptism and the Lord's Supper?

Therefore, we are not to condemn Ritualism when we speak of it generally, but we are to determine whether it is a false Ritualism or not. I take it there are three distinct kinds of Ritualism. There is the Ritualism of idolatry; there is the Ritualism of superstition, and there is the Ritualism of decency of decorum, propriety, reverence; and that is a Ritualism which ought to be especially observed in our Church, provided that we do not in the attempt carry it to that other extreme which the Church does not approve of—gaudiness. I take it the character of the Church is very much like that which Milton describes of melancholy:

“With sable stole of soberest lawn
Over her decent shoulders drawn.”

Now, sir, I desire that the amendment of my old friend from Connecticut (the Rev. Dr. Mead), shall pass. If I cannot have that, then I will take the Canon which has come down to us from the House of Bishops, because I earnestly desire to see a stop put to some things which I consider are a near approach to idolatry.

In order that I may not lose the opportunity of speaking on one point especially, which to me is of great consequence—that of symbolism—I will here advert to that as the symbolism either of idolatry or superstition, bringing in a ritualism of that sort. The first instance of symbolism that I know of, excited, if I may so call it, the deepest indignation of the great Almighty God Himself, and that was in the wilderness, when the children of Israel were passing from Egypt into Canaan. The worship of the golden calf was not the renunciation of Jehovah. It is a mistake if anybody supposes that it was. The representation of the golden calf was a symbol, for they said, “These be thy gods”—and those who understand Hebrew tell me that the word “gods” there may be translated “God.” “These be thy gods, O Israel, which have brought thee up out of the land of Egypt;” and the representation there was the symbol of Jehovah. Was that a right symbol? Was it a proper symbol? Did it not excite the displeasure of Almighty God to the punishment of those who dared to have such a symbol as that?

So, again, under the ten tribes they were constantly falling into this symbolical worship. When Jeroboam set up his golden calves in Dan and Beth-el, those calves were not false gods, unless idolatry was a false god, but they were representations of Jehovah; and we know with what continued punishment that people were visited; that they were carried away into captivity and were constantly punished. The ten other tribes did not fall into this symbolical idolatry. That this was the worship of Jehovah we find from the case of Jehu, who was zealous for the Lord, and yet at the same time continued in the sins of Jeroboam, the son of Nebat, who made Israel to sin.

A gentleman told us this morning of the three candles and the two candles which were placed in the church in which he was present, as symbols, the one of the Trinity and the other of the Incarnation. Look at that representation of the three lights. Is that a representation of the Trinity? Does it show anything of the Son begotten, of the Holy Ghost proceeding? Is not each candle, or light, or whatever it may be, the one like the other? It is no representation of the Trinity, and it gives a false symbol. What we believe, as I said before, we believe as facts. I cannot form any conception—I do not desire to do it, it would be erroneous—of the Godhead. It cannot be done. I receive it as a fact that there is one eternal—though to us now invisible—Almighty, with all the other glorious attributes, natural and moral, which belong to Him, the great God himself, and I believe it as a fact. Who, by his reason, can find out God? Who can find out the Almighty to perfection?

Thus it is with regard to the Incarnation. How dare I represent that Incarnation by two candles, both equal, as if the humanity were equal to the Godhead? Or can I conceive, by two candles, of the junction of the Divine nature with the human? No, sir, we must not have symbols of such things. They have been condemned by the Almighty from the beginning. They are constantly leading us into error. I would discard everything which is at all like a symbol.

I have seen in a small book which has been published, what was called the monogram of the Trinity. In the centre *Deus Pater* above, then *Filius* and *Spiritus Sanctus*. How can that give any idea of the Trinity whatever? And it is erroneous you will observe, because in the centre is *Deus*. *Deus* is the characteristic quality of which all the Divine persons in the Holy Trinity partake; but it is not to be represented in that manner. I would desire to exclude from the Church with all violence, and with all power, every attempt to symbolize any of the doctrines of the Word of God whatever. I never could see but what those things must necessarily lead to idolatrous or superstitious practices. They did in the beginning: they have done so in the Church of Rome; they have done it in a great degree in the Church of Greece; they have done it in the Eastern Churches generally: and they will do it in our Church—

The PRESIDENT. The gentleman's time has expired.

The Rev. Mr. MARPLE, of Pennsylvania. I have heard a statement of this kind, that several persons at one time went to their pastor for the purpose of asking him to pray for rain. He asked them to come to some conclusion or other as to the precise day on which they wanted it to rain, and because they could not determine on a day, he declined to offer prayer. I suppose the chief difficulty was that he did not believe in the efficacy of prayer in reference to that particular topic. And so a gentleman here this morning asked all of us to

unite in action, asked what it was that the Church really wanted, asked what the faults of ritualism were, and we were told that until we came to some definite opinion that would harmonize throughout, every petition, every desire, every resolution, should at once be cast away and utterly discarded. We may indeed unite upon a few points. If we can unite upon those, why not grant them? If a number of men stand at your door with various wants, you do not drive them away because they have those varied wants. You meet the wants of some so far as you can.

We are met with another difficulty. Men talk to us about the organic unity of the Church, and they say you can pass no special legislation because of certain enactments and things ordained which are still in force. I have written down a few lines from Bishop White in which he draws a distinction that is very much lost sight of. In his *Memoirs*, page 300, he says:

"The principle contended for cannot be understood without remarking the distinction between the sameness of two Churches in doctrine, discipline, and worship, and their identity in a corporate capacity."

He distinguishes between sameness in doctrine and identity in a corporate capacity. He admits the first, he denies the last. That which he separated, men confound, and so they remit us back to that which has no operative force in reference to ourselves. Try it by a single illustration.

If we go to the far past what right have we, as presbyters and laymen, to sit together as part of a legislative council? No right whatever. There was the Council of Nicæa. Who composed it? Three hundred and eighteen Bishops. It was followed by the Council of Constantinople. Who composed that? One hundred and fifty Bishops. That was followed by the Council of Ephesus. Who constituted that? Two hundred Bishops. That again was followed by the Council of Chalcedon. Who composed that? Six hundred and thirty Bishops. Where were your presbyters and laymen? Nowhere to be found, except with a very few slight exceptions, a person here and there as a personal attendant or as the representative of the Bishop of Rome. Now, if there be a law, or a custom having the force of law, in reference to that, I do not know where you will find it, and if a law, we are at once to be disbanded, the presence of a Presbyter here is an impertinence, and the presence of a layman an intrusion, as constituting a Church Council.

It is not necessary for me to define Ritualism, nor, if I should, would it be likely that my description would accord with the account of some other person. Two men may view the same object at the same time, and yet they will not give precisely the same account of it. So it is in regard to the great matter before us. But because we differ in the account, we cannot conclude that there is no reality whatsoever.

In a book circulated in this city, circulated in the

city of Philadelphia, circulated also in my own parish, I have found these words:

"The sacrifice of the Eucharist is the same as that which Jesus Christ offered on the Cross."—*Pathway of Faith*, p. 40.

It is not for me to say what view any man shall entertain with regard to the Sacrament of the Lord's Supper, God forbid. But as a presbyter of this Church, whose whole religious life has been spent in this Church, I have some interest in saying what shall be taught to the members of this Church,—members who may be transferred to my own cure, and may seek to indoctrinate members of my own parish. I do not say that there is a single person on this floor entertaining this view, but I have seen persons here and elsewhere engage in the performance of acts which harmonized entirely and completely with this view.

I trust that I have no narrow feelings. I have had intimate friends among Roman Catholics, friends whom I have highly valued; friends among Ritualists of this Church, also whom I have highly valued; friends also among Jews, friends among persons who have no faith whatsoever. But because of their admirable character, that does not make their views in any respect the less objectionable. No, friends; we are indeed ever to regard doctrines just as they are compared with the blessed Word of Almighty God.

I do not know that I have time to read a few more extracts which I have here, and which were not made with any reference to this discussion; but it has been said on this floor that the views which are symbolized in ritualism were the views of the Primitive Church. I do not know what those who said that meant by the Primitive Church; but if they meant the Church of the first three centuries, I do earnestly call that statement in question; and I rely upon the very highest authority; I mean the authority of Bingham. Let me read a quotation from him in regard to the manner of communicating:

"**MANNER OF COMMUNICATING.**—Valesius has observed out of the Epistles of Dionysus, Bishop of Alevandria, that in the third century it was customary both for men and women to come and stand at the altar to communicate, and Mabillon shows out of Gregory of Tours that the same custom prevailed in the Gallican Churches. And it is very evident from the second Council of Tours, which has a Canon to this purpose, that the laymen at other times shall not come into the choirs or chancel, yet when the oblation was offered, both men and women might come into the holy of holies to communicate at the altar." B. 15, ch. 4, § 22.

Standing then was the position. I admit in regard to the term "altar," that it was used in the Primitive Church, but by Augustine the "Holy Table" was not less frequently used.

The PRESIDENT. The gentleman's time has expired.

The Rev. Dr. BABCOCK, of Massachusetts. For three days I have seen a venerable presbyter

laden with years and honors try to get the floor. I therefore yield my place and privilege on the floor to the Rev. Dr. Shelton, much as I would like to address this Convention on this subject.

The Rev. Dr. SHELTON, of Western New York. Mr. President, the usages and practices of the Church are next in importance to her doctrines—and he who would attempt to govern a Church without law would be like the engineer who should presume to run a train without brakes. There is, from this nature of things, a demand for power and authority. If the Church were left without government, would not anarchy and confusion come in? Is there anything more evident? With us, in the emergency of our position, we are at a loss to know how far to go in restraining the freedom of men's acts in the Church. This is the obvious question: How far shall we go? With many there is the wish that we should leave well enough alone, that we should not legislate save from necessity.

The question then is, is there, or is there not, a necessity? If, Mr. President, there was a reasonable spirit of uniformity and a just degree of subordination, if there was a disposition to acquiesce in the requirements of the Prayer Book, and to preserve uniformity not only in doctrine, but in ceremonial, then I would say, let us stop where we are, and not add another restraining act, to produce that which is so much sought for, prayed for, and desired.

It has been said that liberty should be allowed; but is it not evident to every one that liberty, without law, is license? What has produced the fearful scenes which have been enacted in unhappy, ruined Paris, but liberty without the restraint of law? This is but an extreme case, but it is a case. And I would add, that if we have no law, then law should be made to guard and protect our institutions—for law is necessary to the well-being of Society, of the Nation, and of the Church.

It has been said that if we make a law to restrain the acts of certain men in the Church who are bringing in usages and practices which are contrary to the established habits which have all along prevailed, we must extend our legislation, and enact Canons fitted to restrain men who are disposed to neglect established usages, and who may hinder godly union and concord by a neglect of the wholesome and good usages which have all along been practiced. In reply I have to say that we have legislated very effectually in this direction. In the different periods of our existence as a Church there have been men who would so far innovate upon established usage as to use in public worship *extempore* prayers. Have we not, even in this Convention, passed a Canon ordering that no practice of this kind should prevail, but that on every occasion of public worship there should be used the regular service appointed for the same?

Again, Mr. President, is it not sound doctrine, is it not the well understood sentiment of the Church and of good Churchmen, that private opinion is never to be put in opposition to the established doctrines

of the Church? Is not this the doctrine of the Church, that private opinion is never to be put in opposition to established doctrines and the ritual of the Church? Certainly we can find evidences enough to prove that we have ever acted upon this principle. Private opinion has never been allowed to have its sway contrary to law. It has been checked and restrained and made to submit to authority. It has been prevented from disturbing the peace of the Church as far as the Church could, by legal or canonical acts, prevent it.

The steps now taking by some in this Church, if permitted to have the authority of usage, will be the beginning of a career of extravagant ritual, which will, in time, cover her up in the same garments, and envelop her in the same observances, which now disfigure the Churches of Greece and Rome. I may add in passing, that if extravagant forms could promote devotion, the Roman Catholic Church would be the purest and the holiest Church upon earth.

The question then is, Shall this Church allow the unauthorized usages which we know to be practiced in many of the churches in our land? If permitted, they will prevail more and more, and as they prevail, will corrupt the minds of thousands, and bring a stigma upon us which we shall more and more keenly feel, because they will bring in false and dangerous doctrines and hinder the progress of Truth, as we hold it.

Again, the customs of which we complain, and are afraid of, will be more and more strengthened by use, and they will have the sanction of usage, if unproved.

Again, I would like to say that the method adopted to bring in foreign and strange, and repulsive and dangerous habits and practices is not in conformity with good and sound, and well understood Church principles. Usages are attempted to be introduced in a manner unrecognized by the Church. I may be permitted to say that it is the habit of this Church when alterations or improvements are required, that we, as the authorized body of the Church, must act upon them; they must be enacted by us in our legislative capacity. We certainly have just adopted the Book of Psalms and Hymns, after long and careful investigation and discussion, and it goes forth as approved by the House of Bishops and the House of Clerical and Lay Deputies. It has therefore the sanction of the Church in these United States.

Mr. President, I can but think (and you excuse me for my own thoughts) that it is the highest presumption for an individual or individuals, unauthorized and unsanctioned, to set up foreign and strange observances, usages and customs. If it be granted to one set of men claiming to have the right, what shall hinder another set of men bringing in another set of forms that may be equally offensive? At least, one set of individuals in their private capacity may act as another has done; and it is not necessary that I should say to this learned and most able Convention, that our su-

ture claim to order and uniformity and freedom from confusion and disorder would be laughed at and mocked.

Instead then permitting these unauthorized practices let it be respectfully suggested to the favorers of the new customs and practices of these few years in several churches, that if these usages be such as will promote devotion and a growth in the graces of a Christian, if they will strengthen the doctrines of the Prayer Book, and of the blessed Reformation which took us out of the arm of Rome, then let them be introduced among us in our Churches in the proper and only true way, and that is, by asking this Church in her Synodical Convention composed of her Bishops, her Presbyters, and respected laymen, to be permitted to use these new and strange customs. If they shall be sanctioned by such authority, let them prevail; let every parish in this nation use them; but if not, then let them be disused. And let me add, that if they be used without this sanction, then are they creatures of private opinion, they are creatures of unauthorized individuals, who have no authority to decree rites and ceremonies and Church observances.

If it be said that the usages which have been alluded to are not new, and that they have had the sanction this Church in all her periods, I have to say that I know them to be new and unauthorized.

Mr. President, I have been reared in the bosom of this Church. I have been bred a Churchman of Connecticut. I never had a blood relative who was not of the Church. Born and bred in her, I love, honor, and reverence her as the most holy thing upon this earth, believing her to be the only stable and firm body that is in being, the only institution that will never lose its existence, because she is the creature of God, and therefore not of man. Next, sir, I am the son of the first man upon whom Bishop Seabury laid his hands in ordination.

I have, therefore, some claim to know what the customs, and habits, and practices of the Church have been from the very beginning. And it is not necessary that I should say to this distinguished body of men that the habits and usages of which we are speaking never had a being in this Church until within these few years.

Sir, I was taught by my venerated and sainted father to fear God and reverence His Church, her sacraments, her customs, usages, and practices; her doctrines and her discipline. But, sir, I was never taught to bow the knee before the altar in adoration of the bread and wine, or to use incense in the Church, or to place candles upon the altar, or to believe in the Real Presence in the sense now attempted to be foisted upon us. I am taught, from the Holy Word, that God is in every place, and especially where two or three are assembled in His name, that there He is in the midst of them, and not more on the altar than in the Church which had been dedicated to the worship of that God who filleth immensity.

It has been said that the Church in this country has never been considered a separate and independent and free Church, untrammelled by any laws or Canons which she did not make for herself, or which are not to be found in the pages of the Book of Common Prayer. I say that this is the averment with relation to the Church in this country; she is a separate and distinct Church. When, therefore, there is an appeal made to the absolute practices of another age or another country, I have to say in response that no such appeal

has even been made or recognized in conformity with the 34th Article of our religion.

We are, therefore, if we permit these unauthorized usages, commencing a career which has been followed with disastrous results, first by the Church of Rome, and secondly, by the Greek Church. And I have to say, that this is the day and this is the hour when a stop should be put to the progress of unauthorized novelties.

It requires no prophet's tongue to declare what will be the result in another age and that age not far beyond our own, if these usages be not checked. You, who are young may and will see the disastrous results which will inevitably befall the Church within our country. If, already, there be the use of incense in some of our Churches unrebuked, if there be even now Auricular Confession and Sacramental Absolution, if there be candles, in imitation of the usages of another Church than our own, and which can have no authority in ours, if there be prostrations before the altar, and multiplied genuflections before the emblems of Christ's body broken and blood shed, what shall we say will be the state of our public worship not many years hence? The beautiful simplicity and manly grandeur of our solemn Services will be so interfered with, degraded, and debased, by the introduction of a thousand unauthorized, and hence illegal, acts, as to make our churches offensive and to be avoided. We shall hear the exultant sneer of our old enemies, declaring, "We always told you so; you were always in the school of the Roman Church; and you have not disappointed our predictions."

But, Mr. President, God forbid that such a day should ever come, and it never will come if we adhere to law and order, if we permit no foreign and strange observances and unauthorized practices. Let us rather adhere to our primitive and simple, but beautiful, usages and customs. Then it will never be said of us that we have fallen back into the usages of that corrupt Church from which our martyrs and holy men set us free. Let us, as we have ever done, go onward, taking with us at each step the grand principles of law and order. Let us constantly adhere to that old maxim, as old as primitive Christianity, do nothing without our Bishops, and without law. Let us preserve ourselves, as a Church, free from all entangling alliances with other Christians, and most of all, with the Church of Rome. Then shall we prosper, grow wiser and better, and advance with renewed and increasing prosperity.

As we are now unsullied and untarnished by essential errors, we are in a position to look forward to a degree of prosperity not now to be estimated. And if we are one in heart, one in design, one in purpose, one in faith, one in love, one with another, we shall achieve a success, by the blessing of God, which no Church has achieved, and which will make our Church an inestimable blessing to the poor and needy, to the ignorant and the untaught, to the rich and poor, to the heathen of all lands, and to those ready to perish. Our career will be that of the eagle, which flies against the sun with an eye that never winks, a zeal that never flags, and a wing that never tires.

[By unanimous consent, the ten-minute rule was

suspended to allow the Rev. Dr. Shelton to conclude his remarks.]

Mr. LESESNE, of South Carolina. Mr. President, it had not been my intention until this moment to say anything on the matter in hand; but it seems to me that the discussion would be endless unless diverted from the course which it is now taking. It is not now my purpose to attempt to present any new views. The discussion has been exhausted. I have been from the first a recipient of information, a listener to the great debate which it has been my privilege to hear, and I only desire to indicate the conclusion to which it has brought my mind in explanation of the vote which I propose to give.

The Canon before us when presented by the committee, seemed to me to be an eminently wise and proper measure, calculated to accomplish the purpose for which it is intended. It seemed to point out clearly what is our ritual law, or, which is the same thing, to point out the sources from which that law is derived. But the discussion, as it has advanced, has caused me to modify that opinion. It has developed, gradually but steadily, the fact that our ritual law is extremely uncertain, uncertain not only as to what that law is, but as to the sources from which it is drawn. The Canon before us in the three sub-sections of Section 2, points to three sources of that law: our Prayer Book, the English Canons in use at and before a certain date, and our own legislation. It has been demonstrated that there are ritual observances unobjectioned to by any, which derive their existence from a source entirely aside from any of those specified in the Canons, namely, from usages whose origin cannot be traced to any legislation.

I do not mean to say that the construction of this Canon is perfectly clear, but I incline to think that the proper construction would be that the three sub-sections are only an amplification, or rather a specification, of the particulars contained in the general proposition in the preceding clause. But as I have said, it has been demonstrated that there are observances in our ritual which derive their existence from a source entirely aside any of these sources pointed out in the Canon.

It is clear to my mind, therefore, that we are not at this time in a condition for legislation on this subject. Indeed, the floor of a large deliberative assembly is rarely a favorable place for perfecting the provisions of a law; and I submit that the measure of wisdom for this occasion is, reference to a committee. A well-selected committee, going into their deliberations with the advantage of the debate by which we have all been so much instructed, would, in my belief, be able to recommend a suitable and sound law which would be acceptable to the Church. I cannot, therefore, vote for the Canon, but will cordially give my vote for the amendment submitted by the Clerical Deputy from Connecticut (the Rev. Dr. Jackson).

The Rev. Dr. CLARKE, of Georgia. Mr. President, we have heard very much said here on the

subject of Ritualists. I take one point that has been overlooked. I live very much on aside from the great movements of the Church; but so far as my observation has extended I believe there is in the Church a large party of devout, loyal, self-sacrificing, earnest men, whose whole soul is given to the work of Christ, extending the Church for Christ's sake, and I believe that these men feel that a higher Ritual than was in vogue here some years past is necessary for carrying out His work. I believe that we owe a debt of gratitude that we can never pay to these men. I believe that the increased reverence we have found on the floor of this House in all our services is due to the efforts of that class of men in our Church. But alongside of that class of men there is a small minority of extreme men, men Italian-minded, men given to vain tricks and dark ways, men that are anxious to carry our Church back to the mediæval errors of the old communion, whose feeling in that respect is so strong that they would renounce everything connected with the Reformation. I think those men should be stopped; but I think the other men, the real Churchmen, the men who would die rather than surrender anything primitive or Catholic, should not be repressed, need not be repressed. At the same time I desire to say that I came to this Convention feeling that by some means a limit could be prescribed or a law could be made in reference to Ritual. The work of the Church in the Diocese of Georgia has been retarded by the panic and the rumors in reference to Ritualism, and I am ashamed to go back to my home and to go back to my people and tell them we did nothing; and then have the debates here read, one gentlemen representing that we could not check the Ritualists, another gentleman representing that the most terrible errors of Romanism are in the Church, descriptions of everything evil brought out in the highest colors to be repeated from paper to paper and from pulpit to pulpit to be used against us. I feel that we must do something; and hence I will vote for the Canon now before us if I can get nothing better. I must go back and say that we have done something. And it has occurred to my own mind that the American Church has a right, regardless of all antiquity, to have a use of her own; that we have a right here to-night, the House of Bishops concurring, to vote anything in Ritual lawful, or anything in Ritual unlawful; and we have a right to recognize any Ritual in the Church now, however it may have been introduced, if it tend to edification, and we have a right to set our foot upon anything in the Church to-day if it tend not to edification or if it tend to error.

If all the propositions heretofore presented be voted down, and it be in order to introduce it, I think we can reach the point we desire to reach by a declaratory Canon expressing in some such words as these "that all rites, ceremonies, and usages which are practiced at this time within the American Church, except such as involve, suggest, or teach erroneous doctrine in connection with the Lord's

Supper are hereby declared lawful." I shall propose that in place of everything, that we fix the Ritual as it is now, and by the exception here: except those practices which teach erroneous doctrine in connection with the Lord's Supper. Then we reach the two extreme views in reference to that blessed Sacrament which have been alluded to in this connection.

Again, I believe that a live Church must fit itself to its surroundings, to its wants; and in the great outpouring of our hearts toward inter-communion, in the movement which are taking place in the old Churches on the Continent of Europe, I do not think it is necessary that we should tie ourselves up to a rigid ritual; and yet I feel that in introducing any rites or ceremonies that we have not now, they must not be done by irresponsible private judgment but by those who have a right to speak for and advise with us. And I would further propose, if it be in order that a resolution of this sort should be passed:

Resolved, That a commission, to consist of five Bishops, five presbyters, and five laymen, be appointed to consider and report to some subsequent Convention upon the expediency of allowing the introduction into our worship of practices used, in the past or present, in the Anglican or other branches of the Church, which have been hitherto unknown among ourselves.

I believe that there is something quite as definite and quite as practicable in this suggestion as in anything that has been proposed. I believe it would go further to promote the peace of the Church, and I believe it would go further to put us right with the other branches of the Church in Christendom than any of the measures which have been proposed here to-night.

Mr. CHURCHILL, of Kentucky. Mr. President, gentlemen say let us have action, let us have legislation. I am for action and I am for legislation; but I am not for hasty action. This Church of ours has existed for nearly 1900 years, and if the world continues a million of years our Church will continue with it. We make laws which are to govern this Church through all time, and when we make laws that are to go down so long through the ages to come, upon a most important subject, I think we should be careful and think well before we act.

It seems to me that some gentlemen, unknowingly and unwittingly, without taking the proper soundings, would launch our Church upon a boisterous and dangerous sea, unaware of the rocks that lie below. I say let us act cautiously, with deliberation. Are we in a situation to act thus now? Why, sir, the joint committee of five from each House has brought us a report here for our action, and what have we seen? The most experienced, the oldest gentleman in this House—I do not know him very well personally, but from general reputation, I might call him the Nestor of this House—does what? After that committee make that report he comes in here and by a *coup d'etat*,

I might say, he wishes to consign that report to the tomb of the Capulets. Are we prepared to support the report of a committee when the committee is itself thus divided? Let us think well before we act thus hastily.

The time is so short that I must confine myself principally to one point which has been taken by the lay deputy from New York, and which has been further illustrated by the lay deputy from Indiana; and no legal gentleman in this House has pretended to reply to their remarks, and I take it for granted that they did not reply to them because they could not answer them. By our Constitution the lay deputies, the clerical deputies, and the Bishops are each equal. I bow in reverence to any decisions that our fathers in the Church may make; but when I meet them in this Convention I meet them as my peers, I have as many rights as any of them, and the voice of my order goes just as far as theirs. I call upon the lay deputies of this House not to surrender their privileges. In the Church of Rome (and it seems to me in this matter we are aping Romish practices), the Bishops do everything, and what has been the result? The laity had nothing to do, the clergy had nothing to do. After a while they make themselves a presiding superior Bishop, and what has that resulted in? In his infallibility. I take it for granted that under this law, practically, the Bishops will have entire control over the Prayer Book. Practically we transfer to the House of Bishops for all time to come absolute and perfect control over the whole subject of the Liturgy; and the history of the whole world shows that when you give men power they never surrender it willingly. I should like any gentleman here to point me to a single legislative body, or to any body composed of many men, that has voluntarily given up a power once possessed by it. I take this ground: if by this Canon we give the Bishops legislative power (and I say we give them legislative, judicial, and executive power), we transgress the Constitution.

I call the attention of gentlemen briefly (for I have to be very hurried) to one other point. I assert—and no gentleman on this floor will contradict me—that when any legislative body is composed of three powers, or two powers, all of them must act together and in unison, and one of the branches of the legislature cannot surrender its powers to the other branches of the legislature. I will illustrate. Here in our National Government we have the lower House, the Senate, and the Executive. They compose the Government in the making of laws. Can the House of Representatives of the United States say to the Senate, "Gentlemen, you are older and wiser than we are; we have more confidence in you than in ourselves; there is a very knotty question before us and we surrender all our duty and legislative functions into your hands." I ask you if the Representatives of the people so degraded and debased themselves as to pass such a resolution, would a law passed by the Senate under such circumstances without the

concurrent independent judgment of the House of Representatives be of any effect whatever?

Suppose, furthermore, that the Senate and House of Representatives were to go on and pass a law unanimously. The Constitution requires that they shall submit, within a certain length of time, their decisions and their acts to the Executive; and though both the Senate and House of Representatives might unanimously pass any law, yet if they did not hand that law to the President of the United States, and give him power to send in his veto, and to state his reasons why he objected to its passage, no gentleman here would contend that that would be law.

The PRESIDENT. The gentleman's time is up.

The Rev. Dr. MEAD, of Connecticut. Mr. President, it was proposed at the beginning of this debate that, as the chairman of the committee on the part of this House, I should have the privilege of speaking for half an hour. I wish gentlemen to understand that I intend to confine myself to the ten minutes, and by that time, I believe, the question will have to be taken. My whole object in now standing before you is this: I wish to say, in the first place, that I consider—I will not use the word I was about to employ; perhaps I ought not to do so; but I will say that I consider the proposition of my reverend brother representing the same diocese that I do, for a Joint Committee of five of each order, as utterly vain. Gentlemen, let me tell you that the committee of five on the part of the House of Bishops, in having their three meetings, though scattered only from Pittsburgh to Rhode Island, travelled some fifteen hundred or two thousand miles. They had three meetings; they spent days at it; and yet, what has been the result? They were a committee raised on our own request. We appealed to the House of Bishops three years ago to give us something or advise somewhat on this subject. They did not give us the advice on the subject on which we expressed a desire for advice, but told us they would advise us relative to the whole matter, and that they had appointed five of their number to attend to that, and they told us who they were. We silently acquiesced. They have worked and labored, and they have brought in their report, and here let me say, that if I am charged with any inconsistency in having united in a report, and afterward offered, in lieu of part of it, a portion of the report of those five Bishops, it is because that report was not really under consideration in our committee, and the report which was presented to us by the latter contained features that I could not heartily and cordially assent to. But yet I saw the tendency of things; I saw that there was a spirit in our midst which looked for delay, postponement, and I determined then that I would sacrifice everything to get the subject before this House and the other House, and I succeeded.

Suppose you get the committee of fifteen now proposed, what then? I doubt whether the House of Bishops agree to such a resolution; indeed, I have no doubt that they will not, having been treated as they have been already. If you pass this resolution, what will be the result? Five laymen, lawyers and merchants, who have their own business to attend to, five clergymen who are par-

ish priests and have plenty of work there to do, and five Bishops, will have to be called together several times during the course of three years to prepare a report. Do you suppose that half the number will ever get together? No, sir, it will be as it was with the Canon passed in 1835 and repealed in 1838, which provided that a diocese in existence and in connection with this Convention, having less than six clergymen, might, by its Convention, ask the Bishops to give them a Bishop. Michigan did it. Twice Bishop White tried to get together all the Bishops, then a small body, compared with our present body, and failed; and what did he do then? He said, "The General Convention did not intend that we should do an impossibility. I will, therefore, collect the suffrages of the Bishops by letter." Thus the Bishop of Michigan was elected. We saw the ill effects of that, and instantly the next General Convention repealed it. So it would be with this Committee of fifteen. They would at last have to write to one another and compare notes in that way, and we should get a very crude report, and then what would be the result? Why, let me tell my reverend brother and other gentlemen who may vote for this proposition, what it will be; I will state it, with a very slight variation, of the termination of one of Cowper's interesting poems, John Gilpin. [Laughter.] When that Committee report to this House, my word for it, "you will not be here to see." [Laughter.]

Thus much for that.

My amendment comes next after this proposition of my colleague shall have been passed upon, and I hold that I, as author of this amendment, have the right to perfect it, and I am ready to perfect it as soon as the question is taken on this pending question. I will read to you, with the permission of the House, Mr. President, what I have to present on that subject. I am aware that it will meet the objections of many gentlemen who have already addressed this House. An evil is upon us. Some think it a small evil. I thought it was three years since, and endeavored then to delay action, and we succeeded in procuring the delay. I have seen more of it since and studied it, and I see that the evil is now in the Church working, and you have seen some of the spirit of it. We are told of the reverence it produces. Speeches have been uttered on this floor, in God's consecrated temple, which indicated anything else but reverence, where jokes previously prepared were exhibitions of the reverence we are to expect from such gentlemen.

Now, sir, I am prepared to offer you a perfection of my amendment, and I begin by telling you that not to be alarmed at the bugbear raised here; I do not know that I am right in calling it that, for I myself, since 1853, when the House of Bishops undertook to legislate independently of this House, have been the deadly enemy of Episcopal usurpation, and will, while God gives me life and breath, resist it; but I will not resist giving due power to the Bishops to exercise their high and holy office. I know of no inherent rights or powers they possess which they have not put in abeyance, when each one of them, when he stood before God and His Church, to receive the solemn laying on of hands in consecration, had first, before the consecrators would question him, to stand with uplifted

hand toward heaven, and say, "I, A. B. (mentioning his name), in the name of Almighty God"; and then went on to swear allegiance to this Church, swear that he would sustain its doctrine, discipline, and worship. And part of that discipline was that which made us the equals of the Bishops in legislation. They transcended that in 1853 and 1856, and when they had the opportunity to return to their duty in 1859, they give us the plea that it was late in the session, and they could not attend to it; but if they had time to do it they had well matured what they had done, and they would not. Now you will understand that I have as much apprehension of the usurpation of Bishops as my friend, the lay gentleman from New York, or any other man in this House.

I do not think it necessary, I do not think it the way to meet this evil, to leave it in the hands of the Bishops. I do not think we ought, if we could, to impose upon them, independent of law and trial, such a power. I therefore have determined, when the proper time comes, to offer to perfect my amendment thus:

Resolved (the House of Bishops concurring), That the following Canon of Ritual be enacted, viz.:

"For the greater uniformity and simplicity of the public worship of this Church, for the more effectual enforcement of due habits of solemn reverence in its congregations, and out of considerate regard to the conditions under which the extension of the Church is now and hereafter to take place, it is hereby declared and provided,

§ I. This Church, holding fast its liberty in Christ its Head, recognizes no other law of ritual than such as it shall have itself accepted or provided, meaning thereby in no wise to prejudice or arraign the differing rites, usages, customs, or laws of other branches of the Church of Christ.

§ II. The provisions for Ritual in this Church are:

1. The Book of Common Prayer with the Offices and Ordinal thereto appended, as adapted to the use of this Church by additions, omissions, or other alterations from time to time constitutionally made.

2. The Canons of the Church of England, agreed upon in 1603, and in use in the American Colonies or States before the year 1789, and not subsequently superseded, altered, or repealed by legislation, general or diocesan, of this Church.

3. The canonical or other regular legislative or judicial action or decisions of this Church in its Conventions, general or diocesan, or by its duly constituted authorities.

And the following acts in the administration of the Holy Communion, and on other occasions of public worship, are prohibited:

(1.) The placing or retaining a crucifix in any part of the Church.

(2.) The use of lights on or about the Holy Table, except when necessary for lighting the Church.

(3.) The elevation of the elements in the Holy Communion in such manner as to expose them to the view of the people as objects toward which adoration is to be made, in or after the Prayer of Consecration, or in the act of administering to or in conveying it to or from the communicants. Also, irreverence in not reverently eating and drinking, as the Rubric directs, what remains of the consecrated bread and wine after the blessing.

(4.) Bowings, crossings, genuflections, prostrations, reverences, bowing down upon or kissing the Lord's Table, and kneeling, except as allowed, provided for, or directed by Rubric or Canon; *provided*, that reverence at the mention of the name of the Lord Jesus is allowed; *and further provided*, that private personal devotion, before or after official ministration, is not to be understood to include or justify any of the acts prohibited.

(5.) The celebration or receiving the Holy Communion by any Bishop or priest when no person receives with him.

(6.) And using at any administration of the Holy Communion any prayers, collects, gospels, or epistles, other than those provided in the Book of Common Prayer, or under Section XIV. of Canon 13 of Title I. of the Digest.

Now, gentlemen, you will observe I have taken out of this Canon the third section. I have used the first part of it as an introduction to a Canon to be passed by the concurrent resolution of both Houses. The Bishops are not mentioned in this any further than as to their concurrence in the Canon. They have nothing to do with the execution of it, except it be judicially. If the Canon be violated, under the Canon of offences, the individual violating it may be presented. The Bishop then has his duties to perform in appointing the larger number of members to form the court and in finally revising the whole subject after the issue has been made up and the decision given. The Bishops have nothing to do with it meanwhile, further than the right which the Ordination Office gives them, namely, the right to give their godly admonition; and it leaves to the individual, if he is disposed to take a trial, the right, in an ungodly manner, if you please, to refuse that admonition.

Then you will observe that I have added another thing. I have heard a good deal about a two-edged sword here and I have felt that there was some little force in the use of the other edge; and I have accordingly prepared an addition to one of the propositions for that purpose, and that is this: "Also irreverence in not reverently eating and drinking, as the rubric directs, the remains of the consecrated bread and wine after the blessing." By inserting that I have placed this in the same category with offences of extreme reverent irreverence, I should call it, at the Holy Table. I believe that both need to be provided against, for I do not look far from my own diocese to see the same thing which has repeatedly been uttered here in some instances. I wish to see that stopped.

I have now laid before you distinctly the proposition I intend to make. I thank you for hearing me, and whenever the time comes for your action on the first amendment, I will put this in as my perfected amendment to be acted upon.

The PRESIDENT. The question is upon the resolution offered by the deputy from Connecticut (the Rev. Dr. Jackson.)

The Rev. Dr. CADY, of New York. The clerical deputation from New York call for a vote by dioceses and orders.

The resolution was read as follows:

Resolved (the House of Bishops concurring), That a Joint Committee, consisting of five Bishops, five Presbyters, and five Laymen, be appointed to sit during the recess of this Convention in order to ascertain and determine clearly what is the existing law of Ritual in this Church, and then to inquire whether any, and, if any what further provision is required for securing the due performance of Divine Service, and

report the same to the next General Convention for its action thereon.

Mr. WHITTLE, of Georgia. If that resolution carries, can we not take up the message of the House of Bishops and vote on that?

The PRESIDENT. Certainly you will have the right to do that, and it will give opportunity for those who want to vote for this resolution and those who afterward want to take the proposition which is to be made by the venerable gentleman from Connecticut, also to take that.

Mr. WELSH, of Pennsylvania. Is this in the nature of a substitute for those?

The PRESIDENT. No; when the message from the House of Bishops is taken up, the amendment of the gentleman from Connecticut (the Rev. Dr. Mead), can be offered to it.

Mr. WELSH, of Pennsylvania. If this is a substitute for all we have before us now, we can afterward take up the message of the House of Bishops.

The PRESIDENT. Yes, sir.

The Rev. Dr. SPALDING, of Wisconsin. Is not this a substitute for the Canon on Ritual?

The PRESIDENT. Not formally, because it is only an amendment to an amendment. If it passes, it will be virtually a substitute; but it is in the form of an amendment to an amendment.

The Rev. Dr. SPALDING, of Wisconsin. If we should carry this, we should afterward have the Canon up for adoption.

The Rev. Dr. HAIGHT, of New York. I suppose if this resolution be carried there is an end of our committee's report; but the same thing comes up in the message of the House of Bishops.

The Rev. Mr. HOWLAND, of New York. We cannot amend the message of the House of Bishops.

The Rev. Dr. HAIGHT, of New York. Certainly we can.

The Rev. Dr. MEAD, of Connecticut. Voting aye on this proposition and carrying it would lay this amendment of mine entirely away. ["No! no." "Yes! yes."]

Mr. CHURCHILL, of Kentucky. I believe there is no difficulty about this question. If this substitute—it is nothing but a substitute—is carried, of course that transfers from this House entirely the propositions upon which we have been voting. But then comes in the message from the House of Bishops which is a separate matter, and we can act upon that.

The PRESIDENT. That is the way I regard the matter.

Mr. CHURCHILL, of Kentucky. The parliamentary view of the case is perfectly plain.

The question being taken on the proposition of the Rev. Dr. Jackson of Connecticut, resulted as follows:

Clergy.—Dioceses voting, 40; ayes 14; nays 20; divided, 6.

Laity.—Dioceses voting, 35; ayes 12; nays 21; divided, 2.

The PRESIDENT. The amendment is rejected. The question recurs on the amendment of the gentleman from Connecticut [the Rev. Dr. Mead.]

The Rev. Dr. HARE, of Pennsylvania. Let it be read by the Secretary.

The Rev. Dr. AYRAULT, of Central New York. I move that we now adjourn to meet to-morrow morning at 9 o'clock.

The motion was not agreed to.

The PRESIDENT. The amendment of the gentleman from Connecticut will be read.

The amendment was read as follows:

Resolved (the House of Bishops concurring), That the following Canon of Ritual be enacted, viz.:

"For the greater uniformity and simplicity of the public worship of this Church, for the more effectual enforcement of due habits of solemn reverence in its Congregations, and out of considerate regard to the conditions under which the extension of the Church is now and hereafter to take place, it is hereby declared:"

§ I. This Church, holding fast its liberty in Christ its Head, recognizes no other law of Ritual than such as it shall have itself accepted or provided, meaning thereby in no wise to prejudice or arraign the differing rites, usages, customs, or laws of other branches of the Church of Christ.

§ II. The provisions for Ritual in this Church are:

1. The Book of Common Prayer, the Offices and Ordinal thereto appended, as adapted to the use of this Church by additions, omissions, or other alterations, from time to time, constitutionally made.

2. The Canons of the Church of England, agreed upon in 1603, and in use in the American Colonies or States, before the year 1789, and not subsequently superseded, altered, or repealed by legislation, general or diocesan, of this Church.

3. The canonical and other regular legislative or judicial action or decisions of this Church in its Conventions, general or diocesan, or by its duly constituted authorities.

And the following acts in the administration of the Holy Communion and on other occasions of public worship are prohibited:

(1.) The elevation of the elements in the Holy Communion in such manner as to expose them to the view of the people as objects toward which adoration is to be made in or after the Prayer of Consecration, or in the act of administering them, or in conveying them to or from the communicants. Also irreverence in not reverently eating and drinking, as the Rubric directs, what remains of the consecrated bread and wine after the blessing.

(2.) Bowings, crossings, genuflections, prostrations, reverences, bowing down upon or kissing the Lord's Table and kneeling, except as allowed and provided for or directed by Rubric or Canon; *provided*, that reverence at the mention of the name of the Lord Jesus is allowed; *and further provided*, that private personal devotion before or after official ministrations is not to be understood to include or justify any of the acts prohibited.

(3.) The celebration or receiving of the Holy Communion by any Bishop or priest when no person receives with him.

(4.) Using at any administration of the Holy Communion any prayers, collects, gospels, or epistles, other than those provided in the Book of Common Prayer, or under Section XIV. of Canon 13 of Title I. of the Digest."

Mr. JUDD, of Illinois. I move to amend the amendment. The first section of the amendment as proposed, reads, "This Church, holding fast its liberty in Christ its Head, recognizes no other law of Ritual, except such as it shall have itself accepted and provided." It is just as exclusive as the other Canon, proposed by the committee. I move to strike out the words, "recognizes no other law of Ritual than such as it shall have itself accepted or provided," and also the word "thereby" and to insert before the

word "meaning" the word "and" so as to read as follows:

"This Church, holding fast its liberty in Christ its Head, and meaning in no wise to prejudice or arraign the differing rites, usages, customs, or laws of other branches of the Church of Christ."

And then it goes on. I make that motion in regard to the first section.

Mr. DEROSSET, of North Carolina. I now move a substitute for the whole matter, which I believe is in order.

The PRESIDENT. Yes, sir.

Mr. DEROSSET, of North Carolina. If the House will allow me I will read it.

The Rev. Dr. CADY, of New York. Is not the proposition of Mr. Judd an amendment to an amendment?

The PRESIDENT. It is.

Mr. DEROSSET, of North Carolina. I wish to move a substitute for the whole matter. While the substitute does not require the adoption of any new Canon whatever, I believe it covers the whole ground and gives us everything that the Church demands. I move, in the first place, that the second clause of the first Section of Canon 2 of Title II. be amended so as to read as follows:

"Every minister of this Church shall be liable to presentment and trial for the following offences, to wit:

1. Crime or immorality.
2. Holding and teaching publicly, or privately and advisedly, any doctrine contrary to that held by this Church, or using, or allowing to be used, in the administration of the Holy Communion or on other occasions of public worship, any of the following acts or practices, to wit:

(1.) Placing or retaining a crucifix in any part of the Church.

(2.) The use of lights on or about the Holy Table, except when necessary.

3. The elevation of the Elements of the Holy Communion in such a manner as to expose them to the view of the people as objects toward which adoration is to be made in or after the Prayer of the Consecration, or in the act of administering them, or in conveying them to or from communicants.

4. Bowings, crossings, genuflections, prostrations, reverences, bowing down or kissing the Holy Table, and kneeling, except as allowed, provided for, or directed by rubric or canon, it being provided that reverence at the mention of the name of the Lord Jesus is not intended to be disallowed, and it being further provided that private personal devotion, before or after official administration, is not to be understood to excuse or justify any of the acts prohibited.

5. The celebration or receiving of the Holy Communion by any Bishop or priest when no person receives with him.

6. Using at any administration of the Holy Communion any prayers, collects, gospels, or epistles, other than those provided in the Book of Common Prayer, or in Section XIV. of Canon 13 of Title I. of the Digest.

In addition to that, and to make provision for occasions where the law is silent, and where no law of the Ritual is provided, I propose to introduce a fourth section to the 1st Canon of Title II. "Canon of Amenability and Citations," as follows:

"§IV. It is hereby declared and provided that in all questions arising concerning ritual observance in this

Church, until the same shall have been settled and established by the General Convention, it appertains to the office and duty of the Ordinary to give and enforce such directions as he may deem necessary to secure proper uniformity and to prevent the disturbance of the peace and quiet of that portion of the Church under his jurisdiction."

These two amendments to canons already existing, in my judgment will accomplish every thing that is desired and demanded by the Church, and I believe by a majority of this Convention.

The Rev. Dr. LEWIN, of Maryland. I wish to offer an amendment to the substitute.

The PRESIDENT. It is too late. This is a substitute offered to two amendments which are already before the House. [Cries of "Question," "question"]

The Rev. Dr. HAIGHT, of New York. I have not the slightest desire to utter another word in this House, if the House does not wish to hear me. ["Go on."] I feel very reluctant to go on at this time of the night for I shall find it impossible to confine what I have to say on this important subject within ten minutes.

I am placed in a very awkward position in regard to this matter. The amendment proposed by my friend from Connecticut, who was chairman, on the part of this House, of our Committee, strikes at the very root of the Canon which we reported. That Canon contemplated no action whatever of this kind in detail, but such action is now proposed by the chairman of the Committee on the part of our House, on his own responsibility. It is exceedingly painful for one in my position to differ from a friend so long known and honored as he is; but I feel that I should be altogether unfaithful to my duty as a member of that Committee, did I not express the views which I hold touching this amendment which destroys entirely, in my judgment, the character and structure of the Canon reported by the Committee.

As I took occasion to say when I addressed the House at the opening of this debate, this mode of dealing with this matter in detail, as proposed in the report of the five Bishops sent down from the House of Bishops, were not entertained at all in the Committee. As soon as the Committee came to the decision that action was desirable, the *projet* of a Canon which has been introduced, was brought forward and discussed, and no idea seemed to be entertained by any gentleman of that committee that this mode of dealing with this matter by detail would be introduced. But it has been. I now desire to state my own objections to this mode of dealing with this very important matter.

The amendment proposed by my friend and all other propositions of the same nature will surely fail to accomplish the end proposed. He desires, and those who think with him desire, to accomplish a certain purpose, and that is to prevent certain acts, certain ceremonies in the administration of the Holy Communion, to destroy certain erroneous practices. Those practices are specified in detail. But now when we come to examine the amendment as proposed, let us try it and see whether it will accomplish the end proposed, whether it will restore, if that be the desire, the mode of administering the Holy Communion in all our churches to that mode which was in use twenty-five years ago. I find no mention whatever made in this Canon of details, of altar cloths; I find no mention made in this Canon of the vestments of the clergy.

Pass this amendment, and to-morrow any gentleman who pleases, so far as the law of the Church is concerned, if we have no law now, will administer at the Holy Communion in just what sort of vestments he pleases, and in just what colors he pleases. Again, no mention whatever is made of the place where the officiating minister shall stand during any part of Divine service. Here are three of the most vexed questions that have troubled the Church in England, and troubled us; which this amendment does not touch. And I beg that gentlemen will not delude themselves with the idea that they are going to bring about uniformity by the passage of any Canon like this.

Again it is proposed, in order to prevent private communions, to prohibit "the celebration or receiving of the Holy Communion by any Bishop or priest when no person receives with him." Observe the language—"The celebration or receiving of the Holy Communion by any Bishop or priest when no person receives with him." Then one person may receive with him, and I will just tell you precisely how this matter was got around in the city of New York. The Bishop of the diocese inhibited this mode of receiving the Holy Communion by the priest alone, and what did the missionary in charge do? He appealed as a matter of charity to his congregation to form a society, one of which pledged himself to come every day or twice every day to receive the Holy Communion. Is that the law of this Church? Is that what you wish to introduce,—frequent celebration of the Holy Communion, ten in a day, by the priest with one person with him? And yet that is exactly what will be done to-morrow, if a person so please, under this law.

I say, sir, that this, and all other legislation of this kind, will fail to reach the end proposed. Unless you spend months and years, and devote your whole time and thought to it, and get the assistance of a Congregation of Rites and Ceremonies, you can never frame a Canon which will meet the end proposed. Why, sir, did you ever hear of any code of law which accomplished the ends proposed by going into details? Look at the grand example of all law, that held up by God himself for our instruction, and held up as a pattern to all law-givers to the end of the world—the Ten Commandments. Do the Ten Commandments go into detail? When they say, "Honor thy father and thy mother;" do they go into detail and say how you shall honor them?

I shall not pursue this subject. I put it to gentlemen whether all experience and all history does not teach that a code of laws which attempted to enforce obedience by the specification of details, never existed which did not fail.

That is not all. It is proposed by this Canon to produce uniformity, to prevent excesses; and so it says you shall not carry a cross in procession about the church, and yet to-morrow pass this law—

The Rev. Dr. MEAD, of Connecticut. Not a syllable about it. Do not misrepresent it, sir.

The Rev. Dr. HAIGHT, of New York. I beg your pardon.

The Rev. Dr. MEAD, of Connecticut. I will not be misrepresented.

The Rev. Dr. HAIGHT, of New York. I did not intend to misrepresent you. I had the paper before me.

The Rev. Dr. MEAD, of Connecticut. You have

already misrepresented me, and I will answer you to-morrow morning to your heart's content.

The Rev. Dr. HAIGHT, of New York. I am very sorry, sir. I beg the gentleman's pardon. I did not observe that that was struck out. I was reading from the original proposition. I had no intention whatever of misrepresenting anybody. I now have the corrected amendment and I see that the provision as to a cross, etc., is left out.

The Rev. Dr. DEKOVEN, of Wisconsin. I hope the gentleman will not speak very hard against the proposal of the Rev. Dr. Mead, because it would give us a great deal more ritualism than we have ever had before and more than any of us have dared to practice.

The Rev. Dr. HAIGHT, of New York. That is exactly what I do not want to give. I then pass on to another point. I think that this and all legislation of the kind must fail from the nature of the case to reach the end proposed. Besides, if I understand this proposition aright, it is certainly one-sided legislation which is proposed. The reverend gentleman from Connecticut has in the perfected plan which he has presented to us, introduced the following: "Also irreverence in not reverently eating and drinking, as the Rubric directs, what remains of the consecrated bread and wine after the blessing." So far so good. That covers one point. I will now mention several points which are not covered, and which certainly, if we are going at all into detail on this subject, ought to be covered. There is no mention whatever made.

Mr. DEROSSET, of North Carolina. Is it understood that the substitute is before us?

The Rev. Dr. HAIGHT, of New York. The whole subject is before the House. I observe that there is no mention whatever made in this enumeration of things prohibited, of a practice which I believe is still very common in some parts of the Church, that the elements, the bread and wine prepared for the use of the officiating minister in the Holy Communion, are placed upon the Lord's table by the sexton before Divine service in the morning, and very frequently placed by him in not a very reverent manner. It was a very short time ago a very common usage all over the country, and I apprehend it is to-day, that the elements are placed on the Lord's table before the commencement of morning service by some person attached to the church, and generally the sexton. Is that what we desire? Is that what the rubric contemplates? Is that what the rubric commands? Turn to the rubric in the Prayer Book which is perfectly familiar to every clergyman here, but I read it that we may have the matter distinctly before us.

"While these sentences are in reading, the Deacons, Churchwardens, or other fit persons appointed for that purpose, shall receive the Alms for the Poor, and other Devotions of the People, in a decent Basin to be provided by the Parish for that purpose, and reverently bring it to the Priest, who shall humbly present and place it upon the Holy Table.

"And the Priest shall then place upon the Table so much Bread and Wine as he shall think suffi-

cient." There is an express law of the Church, an express command, which was recognized by Bishop White himself and declared to be a clear and distinct provision of the law of this Church. It is I suppose in by far the large majority of cases in this Church entirely ignored and disregarded; and yet there is no mention made of it in this amendment. Of course that rubric contemplates either a credence table in the chancel or some other provision by which the placing of the elements at that time on the Lord's table may be decently done.

Then again, there is no mention made of the mode of distributing the consecrated elements to those who come forward to receive. I do not mean now to say that the American rubric is identical with the English rubric, or that the American rubric forbids a clergyman to minister to more than one person at a time; but I suppose there is not a gentleman in this House who has not seen great irreverence on the part of the clergyman in ministering to the people—one repetition of the words prescribed by the Church, and then the elements passed hurriedly around to those who are kneeling at the rail. That I think is irreverence, and yet there is not one syllable in reprobation of any such act contained in this amendment.

I say that this legislation proposed is one-sided, and I think there is that feeling in this House, if I may judge by what has passed since the commencement of this session, that if we are to have any legislation at all in detail on this subject it shall be perfectly fair, shall meet not only the excess on one side, but the defect on the other. I have never been in a body of men where there seemed to be such a disposition to be perfectly fair, to deal equally with all who are concerned in the matter. I venture to say that the proposed action now is not of that kind, and therefore for one I cannot vote for it.

Then, again—and this is the last observation that I shall make to-night—I think that this mode of dealing with this subject is entirely uncalled for. I live in a city where ritualism is supposed to have had very strong hold. A year ago, at this time, there were three what are called ritualistic parishes, or at least three ritualistic rectors, and a new church was being erected which was supposed to be designed for the same sort of service. There was in those churches the use of incense, I do not say constantly, but occasionally; there was the use of colored vestments; there was the practice of the various genuflections and prostrations mentioned in this schedule. I am happy to say that there is nothing of the kind there to-day, and has not been for nine months, for by God's blessing and by God's help, the Bishop of the diocese as long ago as last January was able, by his wise and judicious treatment, and by his kind and fatherly counsel, and by the exercise of his legitimate authority, to lead each one of those clergymen to give up everything of the sort, everything that is here mentioned. They did so, and they submitted themselves willingly to the Bishop's

direction, and have professed themselves ready to follow his guidance for the future.

I do not know how many high Ritualistic churches there are in this country. I understand there are about seven. Take out the four in New York and that leaves three. Now, as a member of the Diocese of New York, I do not feel that we need any legislation of the kind there, I need not say to you, Mr. President, and to this House, that I have not the slightest sympathy with any of this ultra ritualism. It is very abhorrent to the instincts of my nature. I love the service of the Church; I love to see that service performed with all the dignity and with all the grandeur that can be attached to it, according to time, and place, and circumstance; but the moment you pass beyond the bounds of that which is recognized as lawful in this Church, the moment you pass the bounds of true manliness, and undertake to go into man-milinery and into all sorts of private notions derived from foreign sources, that moment I instinctively repudiate the whole. I have no sympathy with it whatever. And I rejoiced from the bottom of my heart when I knew the fact that the Bishop of New York had been able, by God's help, to put down the whole matter and to restore the service in those churches to that standard to which we have been accustomed in the Diocese of New York.

These being the facts in the case, I for one do not feel the necessity of any legislation of this sort at this time; and what has been done in that diocese, I believe can be done in every diocese. I believe there is that high and manly state of feeling in this Church which will never tolerate anything of the kind. It has been tried in the city of New York. It has been tried, as I have already said, in four different congregations, and it has failed. To be sure there have been crowded congregations in the churches; but where did they come from? Were they the citizens of New York, who had been led to adopt that mode of Divine worship, led to prize it? No, sir. I venture to say that on all the ordinary occasions of Sunday public worship in those churches, if those churches were crowded, more than one half were gentlemen and ladies from all over this country, who, coming to New York, rushed to those churches to see the sight, and in some cases to contribute to the maintenance of the worship. A friend of mine whose wife was very much troubled about such matters, visited one of those churches and came home filled with indignation at what she had seen. Her husband heard her story and said, "Did you put anything in the plate?" "Why, yes, of course I did; I would not be so mean as to go to a church and not put something in the plate. I go nowhere without paying for it."

"Then," said he, "you are one of those who are sustaining and supporting that church."

And I say, so far as the people of New York are concerned, the thing has been a failure. I have it from the very highest authority that can be given on such a subject, that there are not enough per-

sons in the city of New York who care enough about this high ritualism to fill one single small church. If that is the case, I put it to gentlemen whether it is worth while at this time to go into the enactment of a Canon specifying all these various items. It goes upon our record, it goes out to the world, it will be read by our children and those who come after us, and what idea will they form of the character of the people of this Church in this year 1871, by seeing this Canon? They will infer that the great mass of the men, women, and children of this Church to-day were either being carried away or likely to be carried away by this sort of trumpery.

Now, sir, I repeat that for one I do not see the necessity of any legislation of the sort, and I think it will be exceedingly unwise on the part of this Convention to enter upon any such legislation.

Mr. DEROSSET, of North Carolina. The provisions in the substitute before the House are confined exclusively to those practices which are supposed to teach false doctrines. If there are any of them which do not come in that class, let them be stricken out, but do not let this Convention adjourn without prohibiting such practices as do include these false doctrines.

It has been said that it is a one-sided legislation. In the amendment proposed by Dr. Mead, there is an attempt to introduce a proposition on the opposite side, but what does it amount to? It simply proposes to legislate that this Convention prohibits irreverence, and then it goes on to explain what that irreverence means, and it comes to a point which is already fully provided for by the rubrics of the Church. If any minister violates the rubric in allowing any one else to put the sacred elements on the table except the priest, he is subject to be brought to account for it. I say, therefore, there is nothing on the opposite side which we can legislate upon.

The Rev. Dr. MEAD, of Connecticut. I move that we adjourn, so that I may have the floor to-morrow morning.

The motion was not agreed to.

The Rev. Dr. MEAD, of Connecticut. Allow me to occupy two minutes. I merely wish to say to the House in regard to all that has been said by my brother from New York, that it does not amount to anything more than this, that we have not provided for everything, nor did we intend to, nor have we talked about it. But one thing has been represented to the Church for the past three years. It was represented to the Church in 1868, it has been represented to the Church now, that there are a body of men who are violating the doctrine of the Church by their symbolical action.

Mr. JUDD, of Illinois. I thought we were to take the vote. If this is to be discussed by the learned gentleman, the rest of us want a chance.

The PRESIDENT. Of course.

The Rev. Dr. MEAD, of Connecticut. ["Question, question."] I do not feel well to-night, but I shall be all right to-morrow, God willing.

The Rev. Dr. JACKSON, of Connecticut. I think we should adjourn.

The Rev. Dr. HAIGHT, of New York. I renew that motion, and under these circumstances: My friend Dr. Mead is not able to go on to-night, and it is not fair—

The Rev. Dr. MEAD, of Connecticut. I am able to stay here all night so far as that is concerned. I would rather go on, but I am weary, and you will bear in mind that I am an aged man.

The PRESIDENT. The question is on the substitute offered by the gentleman from North Carolina (Mr. DeRosset.)

The Rev. Mr. FARRINGTON, of New Jersey. Can that be regarded as a substitute? He proposes a certain amendment to an existing Canon. Can this amendment to an existing Canon be regarded as a substitute for the other proposition? In this case we have a proposed Canon before us. It must be something that will take the place of this Canon, and I submit that a proposed amendment to an existing Canon is not properly a substitute, and cannot come in now.

The PRESIDENT. I do not believe it can be received as a substitute. It is so much like the proposition of the deputy from Connecticut that it seems to me it ought not to be pressed upon the House.

Mr. DeROSSET, of North Carolina. I withdraw it.

The PRESIDENT. The question is on the amendment of the gentleman from Illinois to the amendment of the deputy from Connecticut.

The Rev. Mr. EGAR, of Pittsburgh. The substitute of the gentleman from North Carolina being out of the way, I beg leave to offer this as a substitute:

CANON OF RITUAL.

When ritual observances are called in question before the Ordinary, and such observances are not expressly provided for or prohibited by the Book of Common Prayer or the Constitution and Canons of this Church, recourse may be had for the establishment of precedent to the rubrics and Canons which were in force and to the usage which was allowed in the Church of England while this Church was a part of the said Church, that is to say after the Reformation and before the year 1776: *Provided*, That no rubrics or Canons of the Church of England shall be considered as in any way binding which have been superseded by the legislation of the General Convention of this Church."

The PRESIDENT. The question is on that substitute.

The substitute was rejected.

Mr. CORNWALL, of Kentucky. Now I have a substitute to offer. I move to strike out sub-section II of Section II and to strike out Section III, and to insert:

Every minister of this Church shall be liable to presentment and trial for using any ritual acts or observances which teach or symbolize any doctrine

contrary to that held by the Protestant Episcopal Church in the United States of America.

Resolved, That this shall be placed after sub-section 2 of Canon 2 of Title II., of the Digest of the Canons.

I offer this hoping that it will coincide with what I believe to be the spirit of this House, not to enter into detailed legislation, because this covers all false doctrine, for symbolism does not precede false doctrine, but follows it. False doctrine or false religion is first in the mind and then the symbolism is exhibited. When false doctrine is exhibited, the subject is manifest before all the world and all persons can see and take knowledge of it. When it is brought before the courts, there are competent presbyters—

The Rev. Dr. HARE, of Pennsylvania. I rise to a point of order; and I will read, for the purpose of illustrating my point, our rule:

"All amendments shall be considered in the order in which they are moved. When a proposed amendment is under consideration, a motion to amend the same may be made, and no other amendment but such second amendment shall be in order. But when an amendment to an amendment is under consideration, a substitute to the whole matter may be received."

Is it allowable, under the declaration, that a substitute to the whole matter may be received, to receive half a dozen substitutes?

The PRESIDENT. Not at one time, but one at a time.

The Rev. Dr. HARE, of Pennsylvania. But does it not interfere with the very purpose of the rule?

The PRESIDENT. I think not. The gentleman from Kentucky will continue if he has anything further to say.

Mr. CORNWALL, of Kentucky. I have consulted with many members of the House on this proposition; I have shown it to many, and there are two opinions presented to me about it. First, that it is sufficient, that it covers all the ground, that it is all we need, that it supplies every want that this Convention desires to be supplied, which is the suppression of false doctrine, and that doctrine is not exclusively confined to the Eucharist. We have heard, in the course of this learned debate, that it extends to the confessional also, and that it extends to the *cultus* of the Virgin. This may be indicated by ritual, as we learned from the speech of an able deputy yesterday. I contend that legislation on symbolism is a very difficult and troublesome thing. I disagree very much with some of the remarks which have been made here this evening as to the dangerous tendency of all symbolism. What was the Jewish religion but symbolism in every particular of its worship? All its sacrifices symbolized Christ—the great sacrifice, the burnt offering, the sin offering, the peace offering. The colors that were used in the priestly garments in the tabernacle symbolized, as Josephus tells us, the Great God that made heaven and the sea. "We answered to

the Romans," says he, "we Jews are not Atheists, but we have in our temples purple, which signifies the sea, red, which signifies fire, blue, which signifies heaven, and white, coming from the linen, which signifies the earth. This teaches the Great God, who made all these things." Now, I ask any theologian, or any member of this Convention, to tell me where idolatry was ever developed in the Jewish Church out of any of the symbolism of that Church. It was adopted from the heathen,—it was adopted from false symbolism. True symbolism did not create it. I find a difficulty in legislating about these symbolic rites. I think that the Convention is agreed that all we desire, and that all we should attempt to do, is to suppress false doctrine, and leave the suppression of tawdry ornaments, of a gaudy or improper ritual, to the good taste and judgment of the American people. There is no tendency in this people to do too much reverence,—quite the other way. When you talk of suppressing all symbolism, why not suppress the Gothic arches in these churches that point up to heaven, which is said to be the reason why Gothic architecture is appropriate to the house of God. When you talk of suppressing symbolism, you have a great many things to look after. You now have a great many rites and ceremonies in the Church which people have been vehement against even in my lifetime. I can recollect when many of the things which are now considered to be lawful, were considered to be approximations to the Roman Church. It is dangerous for us to go beyond the point—

The PRESIDENT. The gentleman's time has expired. The question is on the substitute offered by him.

The substitute was rejected.

The PRESIDENT. The question now is on the amendment of the gentleman from Illinois (Mr. Judd) to the amendment of the gentleman from Connecticut (the Rev. Dr. Mead).

Mr. JUDD, of Illinois. I think that a very important amendment, as it prevents the exclusion of all other law of ritual besides that specifically provided, and I therefore ask, on behalf of the lay delegation from Illinois, that the vote be taken by dioceses and Orders.

The Rev. Mr. LEE, of Kansas. I wish to ask if it is designed through this door to introduce all those ancient ecumenical councils. [Laughter.]

The Rev. Dr. McNAMARA, of Nebraska. I move to lay this whole matter on the table, for the purpose of calling up the message from the House of Bishops.

The motion to lay on the table was not agreed to.

The Rev. Dr. PADDOCK, of Long Island. The undoubted effect of this amendment of the gentleman from Illinois is to strike out everything that would bind any one in this Church to the law of ritual which this Church has provided, and to expressly declare something that looks very kindly toward all other rites and ceremonies of other

branches of the Church of Christ. It opens the door for the introduction of all other rites, and declares that we have no law at all.

Mr. JUDD, of Illinois. I beg the gentleman's pardon. There is nothing of the kind in that amendment. The proposition, if amended as I propose, will then read:

"This Church, holding fast its liberty in Christ its Head, and meaning in no wise to prejudice or arraign the differing rites, usages, customs, or laws of other branches of the Church of Christ, declares as follows."

And then the Canon proceeds to say what are the provisions for ritual in this Church. I do not want to be factious, and I withdraw the call for the vote by dioceses and Orders.

The amendment to the amendment was rejected.

The PRESIDENT. The question recurs on the amendment of the deputy from Connecticut (the Rev. Dr. Mead).

Mr. RACE, of Louisiana. I move to strike out that portion of the amendment which embraces the Canon law of England, enacted in 1603. The rest of it I am willing to take. I move to amend the amendment by striking out the second sub-section.

The amendment to the amendment was rejected.

The Rev. Dr. SMITH, of New Jersey. On behalf of the clerical delegation of New Jersey, I call for a vote by dioceses and Orders on the amendment of the deputy from Connecticut.

The Rev. Dr. RICHEY, of Minnesota. I call for a division of the question. There are no Canons of 1603. There never were any Canons passed in the English Church in 1603. The Canons were passed in 1604. The Convocation was called in 1603, but the enactment did not take place until 1804.

Mr. LIVINGSTON, of New York. They were passed in the session of 1603.

The Rev. Dr. RICHEY, of Minnesota. I call for a division of the question.

The PRESIDENT. The amendment as presented is to strike out a portion of the original Canon and insert the matter proposed by the deputy from Connecticut; and a motion to strike out and insert, under our rules, is a question which cannot be divided.

The Rev. Dr. BANISTER, of Alabama. I beg leave to say that I shall vote against this amendment; but I do not mean to imply by that vote that I am in favor of crucifixes, or anything of that sort. I want that to be distinctly understood.

The question being taken by dioceses and Orders, the result of the vote was as follows:

Clergy—Forty dioceses voting; 11 ayes; 34 nays; 5 divided.

Laity—Thirty-five dioceses voting; 10 ayes; 21 nays; 4 divided.

So the amendment was rejected.

The Rev. Dr. HARE, of Pennsylvania. I now move that this House concur in message No. 50 from the House of Bishops.

The Rev. Dr. HAIGHT, of New York. There is another motion which must come first. I move to lay this matter on the table, for the purpose of calling up the message from the House of Bishops which contains the Canon.

The motion to lay on the table was agreed to,

and the House proceeded to consider the message (No. 50) from the House of Bishops, announcing the adoption by that House of the following Canon and the accompanying resolution:

CANON OF RITUAL.

§ I. This Church, holding fast its liberty in Christ its Head, recognizes no other law of ritual than such as it shall have itself accepted or provided; meaning thereby in no wise to prejudice or arraign the differing rites, usages, customs, or laws of other branches of the Church of Christ.

§ II. The provisions for Ritual in this Church are:

1. The Book of Common Prayer, with the Offices and Ordinal thereto appended, as adapted to the use of this Church by additions, omissions, or other alterations from time to time constitutionally made.

2. The Canons of the Church of England agreed upon in 1603, and in use in the American Provinces and States before the year 1789, and not subsequently superseded, altered, or repealed, by legislation, general or diocesan, of this Church.

3. The Canonical or other regular legislative or judicial action or decisions of this Church, in its Conventions, general or diocesan, or by its duly constituted authorities.

§ III. For the greater uniformity and simplicity of the public worship of this Church, for the more effectual enforcement of due habits of solemn reverence in its congregations, and out of considerate regard to the conditions under which the extension of the Church is now and hereafter to take place, it is hereby declared and provided, that in all questions arising concerning Ritual observance, the administration of the law of Ritual of this Church, whether for enforcement or for restriction, appertains to the office and duty of the Ordinary, whose official written determination, whether of his own motion, or at the official demand either of a rector or of a vestry, shall be held to the settlement of any question which shall at any time arise concerning Ritual: *Provided, however,* that contradictory determinations shall be subject, on memorial or otherwise, to revision by the House of Bishops, under such rules and regulations for bringing the same before them, as said House of Bishops shall prescribe.

Resolved (the House of Clerical and Lay Deputies concurring), That a joint committee of three of each order be appointed to examine the Canons of the Church of England of 1603, and report to the next General Convention what portions were in use in the American States in the year 1789, and how far the same have been modified by repeal or alteration, or other mode, by action of this Church, in its Conventions, general or diocesan, and whether any portion requires modification or repeal.

The Rev. Dr. NORTON, of Virginia. I move that we concur in the action of the House of Bishops.

Mr. MATTHEWS, of Massachusetts. I move that this House do now adjourn. I do not think we are prepared to do anything more to-night, but we can finish the matter up to-morrow in twenty minutes.

The House refused to adjourn.

Mr. WELSH, of Pennsylvania. I beg leave to offer an amendment. I move, in the third section of the proposed Canon, before the proviso now there, to insert:

"Provided, That said determination shall have moral force, but no legal effect, unless in the case of a trial and judgment by a legally constituted court."

And also to insert at the close of the Canon the following words:

"And provided also, That the operation of this Canon shall cease at the close of the next General Convention."

Mr. BATTLE, of North Carolina. That is the most extraordinary proposition I ever heard in all my life.

Several DEPUTIES. We will vote it down.

Mr. BATTLE, of North Carolina. Very well. I have no desire to speak.

The PRESIDENT. The question is on the amendment of the gentleman from Pennsylvania.

The amendment was rejected.

The Rev. Mr. PORTER, of South Carolina. I have no intention of making a speech, but I feel it due to myself that I shall give some reasons for the vote that I intend to cast on this important matter.

Mr. President, one thing has been developed here by this long debate, that there is the most marvellous unanimity of sentiment from all the various speakers we have heard. There is perfect unanimity on this one point. We all agree that something is needed. The only difference is as to the wisdom of that recommendation which has come down to us from the House of Bishops. I cannot vote for it. I am sorry that I cannot vote for it. I feel that it is presumption for me perhaps to vote against a proposition which has come down from the House of Bishops; but I am not a D.D., I am not an LL.D., and I never expect to be. I have heard learned D.D's and LL.D's, stating emphatically that such and such was the case. On the other side I have heard gentlemen equally learned, stating quite as emphatically that it was not the case, but just diametrically opposite. I have heard learned lawyers make statements here that such and such was the law. Take the matter of use. A distinguished gentleman who represents the diocese that I come from, maintains on that word "use" that if there is any use found in any diocese, that is to be the use considered, but gentlemen on the other side tell us that the "use" meant is a universal use.

In South Carolina, the use before 1789, it can be proven, was choral service with boy choirs in surplices. In Virginia the use was to have the Communion not more than six times a year. You will find it in the history that has been presented here.

With such a diversity I confess myself to be at a loss. I am opposed to any of the legislation proposed on this subject; and I am convinced that the only possible settlement of the vexed question is by the Canons of Common sense, of Christian spirit, and of gentlemanly propriety, believing that every parish priest, approached in a parental way, by his Bishop, if possessed of these, will yield his private

will to his father in God for the sake of peace and quietness in the Church. If not so possessed and not so approached, no Canon that pass will reach the objects in view. Truth in doctrine, uniformity in ritual, and quiet in the Church are our objects. If any man teaches false doctrine either by his gestures in worship or by his preaching, there is ample provision for bringing him to trial, and those who believe that false doctrine is taught should bring such teachers to trial. Class legislation is the fruitful source of evil, and will be followed by continued agitation and further class legislation.

I believe it impossible to mould every diversity of man into one shape. God has not made men all of one mind, nor has He given them all one truth. Knowing the perversity of human nature, I believe that extremists on both sides will make occasions to test this Canon, for, while it seems to apply only to one side, it is a Canon that shoots two ways, and its effect will only be utterly to destroy the peace of this Church, for it is certain to result in many most irritating trials.

It might be well termed "the migratory Canon," for assuredly with such absolute power in the Bishop, lest he be tried for disobedience, every man will seek to minister in the diocese of Bishops, whose determinations are in accord with his own views, and we shall have all the men of like views congregating in one diocese, and in time we shall have Bishop arrayed against Bishop, and diocese against diocese, for we know there are some Bishops who will determine one way, and others in a different way. God only knows what the end of such a state will be.

Lastly, it might be termed "the spying Canon," for it is a premium offered to the captious members of every congregation to array the vestry against their rector, and, instead of peace and harmony and love, it will breed suspicion, fault-finding, and endless contention.

The Rev. Dr. ADAMS, of Wisconsin. I have not uttered a word on this subject, and now I declare I go for the Canon as it comes from the House of Bishops, exclusively, wholly, and entirely. I wish to assert the reasons why I go for this, because they have been mentioned by no one else.

In the first place, I say that this Canon puts us in the proper position of a national Church. It asserts that this Church recognizes no other law of ritual than itself shall have accepted or provided, and there it puts it especially in the position of a national and independent Church, providing for its own ritual. In the second place, it takes in the ritual of the Book of Common Prayer, and it recognizes us as a branch of the Catholic Church by the second proviso. Thirdly, it takes in the canonical or other legislative and judicial acts and decisions of this Church in its Conventions, general or diocesan, or by its duly constituted authorities.

Now, Mr. President, I come to a point which has not been noticed here, and which I will notice. The main difficulty of all our legislation hitherto has been that High Churchmen and Low Churchmen have not recognized a person, but a law, and therefore they have said, "Give us law;" and when the Bishop comes in with his godly admonitions, they say, "Bishop, we do not want you, we want a law; and we are ready to fight you on a point of law."

Our Bishops have been guided by this; they have given their godly admonitions, but they have seldom been heeded. Now the very point of this Canon, the beautiful point of this Canon, is that for the first time in the legislation of this Church, it takes the Bishop and says, "Sir, you are not left to vague talk, to the talk of one gentleman to another, but you are put in the position in which you ought to be, the position of a Right Reverend Father, having authority by the canonical legislation of the Church, and there we place you." This proviso, which these gentlemen, common lawyers and others, have argued against, I say is especially the gem, the peculiar beauty and significance of this Canon, that which is according to the custom of Catholic usage and right and proper doctrine.

I have listened with the greatest patience, as everybody knows, to all the speeches that have been made against this from lawyers, from learned clergy, and others, and I say that this Canon, in its last proviso, is especially Catholic, especially Churchlike, especially suitable for this Convention to pass. I voted for the amendment of my dearly beloved father in this Convention; but I had in my own mind the feeling that this was the Canon which this Church would pass, and which finally would give us a remedy for all its evils. I listened with very great delight to the remark of the gentleman from Ohio, who said, "If you pass this Canon, you give the means of rooting out all the Popery in the Church." I say, sir, it is so, and I add, "All the Puritanism also in this Church." [Laughter.] It is a double-edged sword; it cuts both ways, and I wish myself both these evil roots were cut out, and for that reason, I say, I go for the Canon whole and entire, and I hope that this Convention, as their minds are fully awake to the evils that exist from Ritualism and from Puritanism in this Church, will do so.

I could bring forward circumstances and facts which have come to my own knowledge with regard to the operations in this Church of extremists on both sides, which would strengthen my argument very strongly; but I abstain from all this. I believe that, upon Church principles and upon Christian grounds, this Convention will go in and will give at least a trial of three years to a Canon so highly recommended, so fully discussed, and which, upon these two principles, is deserving of at least a trial.

The Rev. Dr. LEWIN, of Maryland. I want to offer an amendment to the second section. It is to strike out "1603," so as to read, "The Canons of the Church of England in use in the American Provinces before the year 1789." I do not intend to make a speech, but there is another amendment which I want to offer, to strike out in the third section, "a," in the fourth line from the bottom, before "rector," and insert "the," and "a" before "vestry," and insert "the." The object of this is very obvious, that if you adopt the Canon as it is, it is in the power of any rector or of any vestry to interfere with the usages or practices of another rector and vestry, and to bring the matter before the Bishop. Thus there may be confusion in this Church by interference with the vestries and rec-

tors. Put "the" there, and it is only the rector and vestry of the parish where the thing occurs that can at all make any question with regard to it.

The Rev. Dr. NELSON, of Maryland. I do not intend this question to be taken without a speech from me, and if gentleman insist on its being heard to-night, I shall certainly deliver it. ["Go on."] It is well known that I have not troubled this House with one word on the subject of ritual, and I did not think that I should say one word about it; but I am not willing, in the present aspect of the matter, that it should be subjected to the vote of this House without saying a word about it. And I want you, first of all, brethren of this Convention, to understand exactly the position in which we are placed, to understand exactly the history of this Canon. This is the very same Canon which was brought in here five or six days ago, which has been stabbed, and stabbed, and stabbed, and I thought stabbed to death by its own friends. You know how this Committee was appointed; you know the care and the deliberation which attended its appointment; you know what thought it cost us, what elaborate effort it cost us; you know how we tried every possible way to secure the best committee, in all honesty. I am sure we were all honest about it; I know I was, and I believe you all were. You recollect that after having tried various expedients, the appointment was finally devolved on the President of this House. He appointed the Committee. I presume there is no question as to the ability of that Committee. I suppose that if he had tried his very best, as no doubt he did, to select the very best men from the House, he could not have succeeded better. He selected, as Chairman of the Committee, my most venerable friend and, I would say, father, in the Church. He put also upon the Committee the most able gentleman from New York. He assigned to the same Committee one of the ablest clerical representatives from old Virginia, and on the same Committee he appointed, from Albany, one of the very ablest lay representatives on this floor.

That is the Committee that took charge of this matter. Surely, if ever a Committee had a fair chance, it was this Committee; if there was ever a committee which it was supposed would bring in here a report which would at once, without dissent, be accepted by this House, it was this Committee; and what was the result of it? It comes in here with a report. I presume that it would not be too much for me to say that a few hours ago this same report was so poor that there was no one to rise and do it reverence. I suppose I am not out of order when I say that it went also to the House of Bishops and, somehow or other, there it was galvanized into some life, and it comes down here now, and at half-past 12 o'clock on the morning of the 26th of October, 1871, it begins to show signs of life again. I thought it was dead and buried.

The clerical gentleman from New York first opened the debate on the question, as you all remember it. I am only giving you a true history of the Canon. ["We know it already."] I intend you to know it better. The clerical deputy from

New York comes first of all, and what does he say to us? He tells us that it makes no difference whether we pass this Canon or not; that if we do pass the Canon, we shall not be one whit better and not one whit worse than if we did not pass it; that we shall be precisely in the same category whether we pass it or not. He tells us that the Canons of 1603 of the English Church in use here in 1789, will bind us just as fully now, though we reject the Canon, as they will do after the Canon has been passed. He tells us with regard to the last part of it that the power of the Bishop over us will be precisely the same whether we pass the Canon or whether we do not pass it; there will be no difference whatever. And then that subtle logician (I mean it in the highest sense), the reverend clerical delegate from Pennsylvania (Dr. Goodwin), one of the oldest reasoners it has been my pleasure to listen to, stood up in this House and tore to fragments the main pillar on which this Canon rested. He told us that no lawyer ever knew, no lawyer ever could tell, what those Canons of 1603 were on which this grand superstructure of Canon law was to rest.

That is not all. There is something worse coming. It was evident that the Canon was suffering; it was evident that it was dying; and up gets my reverend friend from Connecticut, the chairman of the committee (Dr. Mead), and what does he do? He abandons his proud work, gives up the Canon, introduces an entirely different thing, a thing which it seems in the committee was so poor or so insignificant that they would not handle it, according to the confession of this committee. The very proposition of the reverend delegate from Connecticut, according to the confession of them all, was ignored in the committee-room, but what does he do? He comes here and tries to pass in this House the very proposition which every gentleman tells us was utterly ignored in committee.

[Here the hammer fell.]

Mr. MASSIE, of Virginia. Mr. President—
The Rev. Dr. NELSON, of Maryland. What is the matter? I am not half through.

The PRESIDENT. The gentleman's time has expired.

The Rev. Dr. NELSON, of Maryland. I ask that the courtesy of the House be extended to me. [Order. Order.]

Mr. MASSIE, of Virginia. Have I the floor?

The PRESIDENT. Yes, sir.

Mr. MASSIE, of Virginia. Then I move that the vote on the main question be taken in five minutes from this time, and I will state that it never has been considered as in any manner trenching upon the privileges of debate for a parliamentary body to fix the time at which it will take the vote. It certainly cannot be said that freedom of debate on this question has been interfered with here. I move you, sir, that in five minutes the House proceed to vote upon the main question.

The PRESIDENT. The question is on the

motion just made by the gentleman from Virginia.

The motion was agreed to.

Mr. CHURCHILL, of Kentucky. I move to amend the proposed Canon by striking out Sub-section 2 of Section II., and by striking out Section III. and by inserting in lieu thereof:

"Every minister in this Church shall be liable to presentment and trial for using any ritual acts or observances which teach or symbolize any doctrine contrary to that held by the Protestant Episcopal Church in the United States of America; and the authorities of the Church shall take steps with all reasonable promptness to suppress all services, ceremonies, or acts which symbolize or teach the doctrine commonly known as Transubstantiation.

The PRESIDENT. The question is on the amendment just read.

The amendment was rejected.

The PRESIDENT. The question now occurs on the amendment of the gentleman from Maryland.

The amendment was rejected.

Mr. JUDD, of Illinois. I wish to call attention to the fact that the Canon sent down to us from the House of Bishops contains a clause which has been declared by every lawyer who has spoken on it to be unconstitutional; a declaration which no lawyer here has risen to deny.

Mr. JENKINS, of Georgia. I deny it.

Mr. EMMETT, of Minnesota. I deny it as a lawyer.

The PRESIDENT. The question is on concurring in the Canon which has been passed by the House of Bishops.

The Rev. Dr. HAIGHT, of New York. On that question the Diocese of New York calls for a vote by dioceses and Orders.

The question being taken resulted as follows:

CLERICAL VOTE.

Ayes—The Dioceses of California, Georgia, Iowa, Kansas, Kentucky, Long Island, Louisiana, Maine, Massachusetts, Michigan, Mississippi, Missouri, Nebraska, New Hampshire, North Carolina, Ohio, Pennsylvania, Vermont, Virginia, and Western New York—20.

Nays—Alabama, Albany, Central New York, Easton, Florida, Illinois, Indiana, New Jersey, New York, Pittsburgh, Tennessee, Texas, and Wisconsin—13.

Divided—Arkansas, Connecticut, Delaware, Maryland, Minnesota, Rhode Island, and South Carolina—7.

LAY VOTE.

Ayes—The Dioceses of Arkansas, California, Central New York, Delaware, Georgia, Kansas, Long Island, Louisiana, Maryland, Massachusetts, Minnesota, Ohio, Pennsylvania, Pittsburgh, Rhode Island, South Carolina, Virginia, and Western New York—18.

Nays—Alabama, Albany, Connecticut, Easton, Florida, Illinois, Iowa, Kentucky, Maine, Mississippi

New Jersey, New York, Tennessee, and Vermont—14.

Divided—Missouri and North Carolina—2.

The PRESIDENT. The proposition fails by non-concurrence of the Orders.

On motion of the Rev. Mr. Farrington, of New Jersey, the House adjourned until 9 o'clock to-morrow morning.

TWENTIETH DAY'S PROCEEDINGS.

THURSDAY, October, 26, 1871.

Morning Prayer was said by the Rev. A. Toomer Porter, a deputy from the diocese of South Carolina, assisted by the Rev. John M. Schwarr, a deputy from the diocese of Tennessee; and the service was concluded by the Right Rev. Gregory Thurston Bedell, D.D., Assistant Bishop of Ohio.

On motion of the Rev. Dr. Haight, of New York, the reading of the Journal of yesterday's proceedings was dispensed with.

CHURCHES IN FOREIGN COUNTRIES.

The Rev. Dr. HAIGHT, of New York. Before we proceed to the order of the day there are two or three matters which ought to receive the attention of this House. I ask consent to present the report of the Committee on Canons, touching the subject of churches in foreign lands. The House of Bishops have sent down to this House the draft of a Canon on that subject. The Committee on Canons have considered the same and agreed to report concurrence with certain amendments. I will read the report and I will state as I go along what are the main points.

The Committee on Canons to whom was referred Message No 32, from the House of Bishops, relating to the organization of churches or congregations in foreign countries, respectfully report that they have considered the subject referred to them and recommend that the House concur with the House of Bishops in the amendment proposed by them to Section III., Canon 5, Title III., with certain amendments as contained in the amended section embodied in the following resolution, the adoption of which they recommend to the House.

Resolved (the House of Bishops concurring), That Section III. of Canon 5 of Title III. is hereby amended so as to read as follows:

§ III. (1.) "It shall be lawful under the conditions hereinafter stated to organize a church or congregation in any foreign country (other than Great Britain and Ireland, and the colonies and dependencies thereof), and not within the limits of any Foreign Missionary Bishop of this Church."

That simply declares that it is lawful to do it. Then the Canon goes on to prescribe the mode of doing it.

"The Bishop in charge of such congregations and the Standing Committee hereinafter provided for, may authorize any presbyter of this Church to officiate temporarily at any place to be named by them within any such foreign country, upon being satisfactorily assured that it is expedient to establish at such place a congregation of this Church. Such presbyter, having publicly officiated at such place not less than four Sundays consecutively, may give notice at the time of Divine service that a meeting of the

members of this church attending such services will be held, at a time and place to be named by him, and organize a church or congregation. All male persons of full age belonging to this church may take part in said meeting, and the said meeting may proceed to effect an organization, subject to the approval of the said Bishop and Standing Committee, and in conformity to such regulations as the said Standing Committee may prescribe."

As the Canon now stands, any two persons may meet in any of the European cities or towns, and proceed to organize a church and elect a rector and send the papers home, containing the certificate of the act, for the cognizance of the Presiding Bishop; and that has been done at least in one case, the act has been approved and the church has been formed, and the formation of that church has led to infinite trouble and the greatest conceivable scandal. In order to prevent the occurrence of any such thing as that in the future, it is now provided by this Canon that while the initiative may be taken by persons residing there, as it will undoubtedly be, because there must be some assurance given to the Bishop at home that there is a necessity for an organization, the Bishop will proceed to send a presbyter to that place who shall officiate four Sundays consecutively, and then proceed to organize a congregation properly. That is the gist of the amendment proposed in this section. It is to cure a very great evil.

The Rev. Mr. FARRINGTON, of New Jersey. Who is the Bishop?

The Rev. Dr. HAIGHT, of New York. If you will be quiet you will hear. That comes afterward. I proceed with the reading of the Canon as proposed to be amended:

"(2.) Such church or congregation shall be required, in its constitution, or plan, or articles of organization, to recognize and accede to the Constitution, Canons, Doctrine, Discipline, and Worship of the Protestant Episcopal Church in the United States of America, and particularly to submit to and abide by such directions as may be from time to time received from the Bishop in charge, and the Standing Committee hereinafter provided for, in order to its being received under the direction of the General Convention of this Church.

(3.) In order to such reception, it shall be required to declare its desire therefor, duly certified by the Minister, one Churchwarden, and two Vestrymen or Trustees of said church or congregation.

(4.) Such certificate and the constitution, plan, or articles of organization, shall be submitted to the General Convention during its session, or to the Presiding Bishop of the House of Bishops at any other time; and in case the same are found satisfactory, a certificate thereof shall be forwarded to the Secretary of the House of Clerical and Lay Deputies of the General Convention, who shall thereupon place its name on the list of foreign churches, and also a copy of the same shall be forwarded to and filed by the Registrar of the Church, and such church or congregation shall thereupon become subject to and placed under the Episcopal government and jurisdiction of such Presiding Bishop for the time being.

(5.) Such Presiding Bishop may from time to time, by written commission under his own signature and seal, assign to any other Bishop of this Church having jurisdiction in the United States, the full Episcopal charge of such churches or congregations, and the clergymen officiating therein, for such period of time

as he may deem expedient; *provided*, such commissions shall not extend to a period longer than three years and shall then cease and determine unless renewed by the Presiding Bishop.

(6.) To aid the Presiding Bishop, or the Bishop in charge of these foreign churches, in administering the affairs of the same, and in settling such questions as may by reason of their peculiar situation arise, there shall be a Standing Committee, to consist of communicants of this Church, residing in the United States, who shall be chosen and elected as follows: each church or congregation, thus in union with the General Convention, shall have the right to nominate to the Presiding Bishop, one person, and the General Convention shall nominate four persons, who shall hold office until the General Convention next ensuing, and until successors are elected, and, together, they shall constitute the said Standing Committee, of which the Bishop in charge of said foreign churches shall be Chairman. Said committee shall have power to fill all vacancies in the same. A majority of the members resident in the United States shall be a quorum. This Standing Committee shall be a council of advice to the Bishop. They shall be summoned on the requisition of the Bishop, whenever he shall desire their advice. And they may meet of their own accord, and agreeably to their own rules, when they may be disposed to advise the Bishop.

(7.) Whenever a clergyman in charge of either of these congregations in Foreign lands shall be charged with either of the punishable offences, as specified in Section 1, Canon 2, Title II. of the Digest, it shall be the duty of the Bishop in charge of such churches to summon the Standing Committee, above provided for, and to see that an inquiry be instituted as to the truth of such public charges, and should there be reasonable grounds for believing them to be true, the Bishop in charge and the Standing Committee, shall appoint a Commission, consisting of three clergymen and two laymen, whose duty it shall be to obtain all the evidence in the case, from the parties interested, and, who shall, if possible, hold their meeting in the place where the accused resides, giving to the accused all rights under the Canons of the Protestant Episcopal Church, which can be exercised in a foreign land. The judgment of said Commission, solemnly made and subscribed to, shall then be sent to the Bishop in charge, and, if approved by him, shall be carried into effect; *provided*, that no such Commission shall recommend any punitive sentence, other than admonition or suspension from his office as minister of said congregation. Should the result of the inquiry of the aforementioned Commission reveal evidence tending to show that said clergyman deserves a severer discipline, then all the documents in the case shall be placed in the hands of the Bishop in charge, who shall then proceed against said clergyman as far as possible, according to the Canon of Discipline under Title II. of the Digest, and the Diocesan Canons of the diocese of said Bishop.

(8.) If there be but one such church or congregation within the limits of any city, said city shall be deemed the parochial cure of the minister having charge of the same, and no new church or congregation shall be established therein, unless with the consent of the Bishop in charge, and of the Standing Committee herein appointed. Nor shall any church or congregation be organized in any foreign city, under the provisions of this Canon, unless with the approval of the Bishop in charge and the Standing Committee herein provided for.

(9.) In case of differences between the minister and

his congregation, the Bishop in charge shall, with the Standing Committee, duly examine the same, and said Bishop and Standing Committee shall have full power to settle, and, if possible, adjust such differences upon the recognized principles of Ecclesiastical Law, as laid down in the Canon Law of the Protestant Episcopal Church.

(10.) No clergyman shall hereafter be allowed to take charge of any such church or congregation in Foreign lands, unless and until he shall be approved of, and be licensed by the Presiding Bishop, and shall have been duly transferred to his jurisdiction by the letter dimissory provided for in Canon, 12 Section, 7 Title I. of the Digest."

I have already stated that this Canon came down to us from the House of Bishops. We have agreed with it substantially, making one or two amendments, and especially in the first and second sub-sections which relate to the mode of organization, and which propose a remedy for a very great evil. If there are any questions to be asked by the members present, I will answer them. It is very desirable indeed that this should be passed and sent to the House of Bishops this morning.

The Rev. Dr. LYMAN, of California. As one who has lived abroad, I have means of knowing the necessities for this Canon and I think there is no Canon at this moment more demanded for the furtherance of our work abroad than a Canon like this. I see no provision in it that is open to any objection.

Mr. KING, of Long Island. I concur entirely with the gentleman from California, and I second the motion for the adoption of the proposed amendments.

The Rev. Dr. SCHENCK, of Long Island. I could not hear distinctly the entire Canon as it was read, and I ask whether the initiative in the formation of new parishes abroad is to be with the Churchmen residing there, or with the Bishop and Standing Committee?

The Rev. Dr. HAIGHT, of New York. The initiative may be taken there, and the request to form a congregation with the evidence that it is desired, comes home to the Bishop in charge and he appoints a clergyman to officiate for four Sundays and then the congregation is formed on the same principle as churches at home.

The Rev. Dr. SCHENCK, of Long Island. I can only say that I understand this Canon has been reconsidered once after having been very carefully elaborated; and that was one of the points which I know was a matter of reconsideration. I only wanted to know whether it was presented in that form. I suppose in the course of the next few years there will be a very large increase in our congregations abroad and particularly under the salutary influence and administration of such a very wisely prepared Canon as this. I hope it will pass unanimously.

The Rev. Dr. HAIGHT, of New York. I will further add merely that the Committee having this matter in charge have conferred with the clergymen present here who have been abroad, and every attention has been given to the suggestions made. I move the adoption of the Canon as reported.

The Rev. Mr. FARRINGTON, of New Jersey. I rise simply to call attention to Canon 1 of Title I. of the Digest, "Every minister shall be amenable, for offences committed by him, to the Bishop, and if there be no Bishop, to the clerical members of the Standing Committee of the diocese in which he is canonically resident at the time of the charge." It seems to me that this Canon proposes to make a transfer, takes

him from the jurisdiction of his own Bishop to the jurisdiction of a Bishop who is to be appointed.

The Rev. Dr. HAIGHT, of New York. If he accepts the appointment abroad, he must be transferred to the jurisdiction of the Bishop in charge. If he does not want to be transferred, he can decline the appointment.

The resolution reported by the Committee on Canons was adopted.

RELIEF FOR CHICAGO.

The Rev. Dr. HAIGHT, of New York. There is a matter which I have been desirous to find an opportunity to bring before the House, and if I may be indulged for a moment, I will do so now. Canon Street and another clergyman of the Diocese of Illinois, have come to this city with credentials from the Bishop of Illinois. Their Mission is to obtain means for rebuilding two churches to which allusion has been made on this floor before. I move that this House commend the mission of Canon Street and his associate to the sympathy and alms of members of the Church. They are very desirous to get the endorsement of this House, they have already that of the Bishops.

The motion was agreed to.

ORDER OF BUSINESS.

The Rev. Dr. PADDOCK, of Long Island. I desire to call up for action a report made by the Committee on Canons four or five days ago, partly discussed and laid on the table, and which, if it be passed at all, must, of course, go to the House of Bishops very soon. It is the Canon touching the prevention of the alienation of Church property.

The PRESIDENT. It may be taken up by the general consent of the House.

Mr. STARK, of Connecticut. I respectfully suggest whether the order which was yesterday made for sitting at this hour with closed doors does not preclude the action of this body upon any other matter than the subject which we were to take up at ten o'clock. That hour has already passed, and I call the attention of the House to the fact.

Several DEPUTIES. Order of the day.

The PRESIDENT. Under the order yesterday adopted, the House will now be cleared of all persons except members.

MISSIONARY BISHOP TO AFRICA.

The House proceeded with closed doors to consider the nomination made by the House of Bishops of a Missionary Bishop to Cape Palmas, Africa, and parts adjacent, and the doors were re-opened after the adoption of the following resolutions:

Resolved, That the House of Deputies, in view of the value of the services of the Rev. Wm. Hobart Hare, in his present office as Secretary of the Foreign Committee of the Board of Missions, and of the very serious injury which would be done to the foreign missionary work of this Church by his withdrawal from the said office, the duties of which he is fulfilling with marked ability, remarkable success, and universal acceptance, does hereby most respectfully and earnestly request the House of Bishops to appoint a committee of conference with a committee of this House, touching the subject of the nomination made by the House of Bishops of a Missionary Bishop to Africa.

Resolved, That this House suspend further action

on the said nomination until the reception of the report of the Committee of Conference.

The Rev. Dr. Haight, of New York, the Rev. Dr. Andrews, of Virginia, the Rev. Dr. Vinton, of Massachusetts, Mr. Welsh, of Pennsylvania, Mr. Coffin, of Pennsylvania, and Mr. Judd, of Illinois, were appointed the Committee of Conference on the part of the House of Deputies.

A message (No. 68), was received from the House of Bishops, announcing that that House concurred in Message No. 76 of the House of Clerical and Lay Deputies, and appointed as the Committee of Conference, on the part of that House in relation to the nomination of the Rev. W. H. Hare as Missionary Bishop to Cape Palmas and parts adjacent, the Bishop of Massachusetts, the Bishop of Minnesota, and the Bishop of Pennsylvania.

The Rev. Dr. HAIGHT, of New York. The committee on the part of that House ask leave to retire that they may attend to the conference.

Mr. STARK, of Connecticut. I move that leave be granted.

The motion was agreed to.

ALIENATION OF CHURCH BUILDINGS.

On motion of the Rev. Dr. Paddock, of Long Island, the House proceeded to consider the following resolutions heretofore reported from the Committee on Canons:

Resolved (the House of Bishops concurring), That Section I. of Canon 21, be amended so as to read as follows:

"No church or chapel shall be consecrated until the Bishop shall have been sufficiently certified that the building and ground on which it is erected have been fully paid for and are free from lien or other encumbrance; and also that such building and ground are secured, by the terms of the devise or deed, or subscription by which they are given, from the danger of alienation from those who profess and practise the doctrine, discipline, and worship of the Protestant Episcopal Church in the United States of America, except in the case provided for in Sections II. and III. of this Canon."

Resolved (the House of Bishops concurring), That it be recommended to the several Diocesan Conventions to take such measures as may be necessary by State legislation, or by recommending such forms of devise, or deed, or subscription as may secure the church buildings, grounds, and other property, real and personal, belonging to the Protestant Episcopal Church in the United States of America; to those only who profess and practise the doctrine, discipline, and worship of the said Church; and to protect such buildings, lots, and other property from the claims of those who abandon the doctrine, discipline, or worship of the said Church.

The Rev. Dr. PADDOCK, of Long Island. I move the adoption of the resolutions proposed by the Committee on Canons.

Mr. LIVINGSTON, of New York. I was about writing an amendment which I think it proper to suggest to the House. This Canon provides that we shall not alienate the grounds, and I suppose that technically that would include the whole enclosure upon which the church is erected. I think when a difficulty is suggested, we should make provision against that apprehended difficulty. I therefore move as an amendment, a proviso that this is not intended to prohibit the sale of burial vaults and burial lots for graves in the church grounds.

The Rev. Dr. McNAMARA, of Nebraska. As I understand, this Canon is designed to apply to a case where an effort is made by a vestry or congregation to alienate their church property, so as to secure it to the Church. I wish to ask whether it may not be regarded as seeming to imply that our present law on the subject is not sufficiently secure to keep that property.

The Rev. Dr. PADDOCK, of Long Island. Contradictory decisions have been rendered in various parts of the country. There have been decisions, which go at least to show that the very great danger of the alienation of church buildings to parties no longer in accordance with the Church doctrine, discipline, and worship, provided a majority of the corporators, expressing their will either by their own action or through vestries, decide on such alienation. This proposed Canon does not settle that question at all. It can have no retrospective action, or no action whatsoever bearing upon decisions that have been rendered in courts of law. It simply provides that by methods which are believed to be practicable, we may in future secure ourselves according to the method suggested by Chancellor Hoffman in his Ecclesiastical Law of the State of New York, against possible alienation in the future.

Mr. LIVINGSTON, of New York. I now offer my amendment in this form; I have added a little to it:

Provided, That this shall not preclude the alienation of lots for burial in vaults or otherwise, or to land owned by the church corporation, and not necessary for religious uses.

The Rev. Mr. McKIM, of Delaware. With respect to this proviso, so far as it relates to the alienation of burial lots, I desire to say that I think it is not usual in the Church or out of it to alienate burial lots for the purpose of providing for interment; that is, there is no fee-simple conveyed. They simply sell the right of interment. It is not necessary, therefore, to provide for their alienation.

Mr. BATTLE, of North Carolina. As one of the Committee on Canons, it was my duty to examine this question particularly, and to assist my friend from Long Island in preparing a Canon, by which church property should be secured to those who practised the doctrines, discipline, and worship of our own Church, and prevent it from being alienated in favor of those who do not practise such doctrine, discipline, and worship. Whether the amendment proposed by the gentleman from New York is adopted or not, is a matter of no consequence to the Committee; but if gentlemen will examine the Canon, they will see that it provides with much care against this improper alienation by requiring that such condition shall be put in all such devises, deeds, and subscriptions as beyond all question as decided by the courts of New York and elsewhere, that property cannot be alienated. Further than that, in order to prevent any possibility of alienation, we present a resolution providing that it shall be recommended to all the Diocesan Conventions in the country to provide forms, so that there can be no mistake in the future, to insert particularly this special condition by which there shall be no such alienation. If gentlemen will take my word for it, having examined the matter thoroughly with the decisions made in New York before me, I think I can assure them that hereafter, if these words are inserted in the conveyance by devise, deed, or subscription, it will be impossible, the wit of man

cannot prevent property being held by our own Church for those who practise the doctrine, discipline, and worship of the Church. Then if any congregation, with their rector, vestry, and wardens, or other persons abandon this Church, they forfeit the property, and we get it back again.

Mr. RUGGLES, of New York. I sincerely hope that the Canon will not be changed, but that it will pass as it came from the hands of the Committee, so eminently fitted for the purpose designed. It requires the nicest legal examination to prepare such a Canon, and it is dangerous to change a single word. I hope we shall rely with confidence on the legal ability of the numerous lawyers of that Committee, and allow it to pass precisely as it is.

Mr. LIVINGSTON, of New York. I trust there will be no hasty action. I understood the gentleman from North Carolina not to object to my proviso. I beg to state the object of it, because I think it is not fully understood. The Canon, as proposed, provides that the property shall not be alienated by one of our church corporations, or perverted to the uses of any other denomination. I certainly accede to the view of the Committee as far as it goes; but the phraseology of the Canon, as I understand it, would preclude the sale of any of the land belonging to a church corporation, whether necessary for religious purposes or not. When I first heard the Canon read, I did not fully understand it, but still it goes so far as that, to preclude all church ground belonging to our Church from alienation. It seems to me the slight change that I propose by this proviso is prudent at least, because it cannot be expected that all church property will always be retained and never alienated.

The Rev. Dr. PERKINS, of Kentucky. Suppose it is found desirable, and for the interest of the Church, to dispose of certain property now held by the Church, and make an investment elsewhere. Does this Canon provide against that?

Mr. BATTLE, of North Carolina. My impression is, that that is already provided for by another Canon. That is often done and I do not think there is any difficulty about it.

The amendment of Mr. Livingston was agreed to.

The Rev. Dr. PERKINS, of Kentucky. It does seem to me that this Canon prevents the alienation of property held under any circumstances whatever. Section II., of Canon 21, of Title I. reads:

"§ II. It shall not be lawful for any Vestry, Trustees, or other body authorized by law of any State or Territory to hold property for any diocese, parish, or congregation, to incumber or alienate any consecrated church or chapel without the previous consent of the Bishop, acting with the advice and consent of the Standing Committee of the Diocese in which such church or chapel be situated. *Provided*, That this section shall not be operative in any State with the laws of which, relating to the title and holding of property by religious corporations, the same may conflict."

That does allow that such property shall be alienated with the consent of the Bishop; but this Canon, it seems to me, provides against the alienation of it under any circumstances.

Mr. BATTLE, of North Carolina. This Canon is not intended to repeal that second section at all. It is only intended to prevent church property being carried off into the hands of persons who do not worship according to our doctrine, discipline, and worship.

The Rev. Dr. PERKINS, of Kentucky. Would they have a right to sell the property to any other denomination or any body whatever if the interests of the Church required that the property should be sold to anybody and an investment made elsewhere?

Mr. BATTLE, of North Carolina. Certainly they would, because this Canon is subject to the second and third sections of the present Canon.

The Rev. Dr. PADDOCK, of Long Island. The gentleman's question is answered by the language of Section II. of the present Canon, which is not repealed.

"It shall not be lawful for any Vestry, Trustees, or other body authorized by law of any State or Territory to hold property for any diocese, parish, or congregation, to incumber or alienate any consecrated church or chapel"—

Now, note this language :

"Without the previous consent of the Bishop, acting with the advice of the Standing Committee of the diocese in which such church or chapel be situated. *Provided*, That this section shall not be operative in any State with the laws of which, relating to the title and holding of property by religious corporations, the same may conflict."

So you see that there is a lawful, canonical way provided by which, with the consent of the Bishop and the Standing Committee, that is the present law of the Church—such a building may be sold.

The resolutions of the Committee on Canons were adopted.

USE OF BOOK OF COMMON PRAYER.

The Rev. Dr. McNAMARA, of Nebraska. There is unfinished business on the table, an amendment to the Canon "Of the use of the Book of Common Prayer," which has been returned from the House of Bishops, with an amendment. It is a very short Canon, and I should like to have it acted upon now. move that it be taken from the table.

The Rev. D. LEWIN, of Maryland. I sincerely hope that so important a measure as this, non-concurred in by the House of Bishops, will not be taken up now. I do not want to make a speech, but it is a very important measure relating to the Book of Common Prayer, well considered in this body, well considered in the House of Bishops, and not concurred in by that House.

The Rev. Dr. McNAMARA, of Nebraska. It was mainly concurred in by the House of Bishops. The Canon was concurred in with the exception of a single proviso. I should like to have it read for the information of the House, and then they can reject it, lay it on the table, or do what they please with it.

The motion was agreed to, there being on division, ayes 70, noes 31.

The PRESIDENT, *pro tem.* (The Rev. Dr. Burgess, of Massachusetts). The subject is now before the House.

The Rev. Mr. LEE, of Kansas. I understand that the first part of the Canon was concurred in by the House of Bishops. Is that therefore passed upon? Is that final action upon that part?

The PRESIDENT, *pro tem.* The first part was concurred in by the House of Bishops. To the second part they made an amendment. The whole matter was then referred to the Committee on Canons and the Committee on Canons have reported a resolution that this House insist upon its former action, and it is on that resolution that the sense of the House is now asked

The Rev. Mr. BUEL, of Albany. I offered a resolution to take the place of the resolution offered by our Committee. It may not be on record, and supposing it not to be, I now again offer the resolution.

The SECRETARY. Did the gentleman write out his resolution and send it to the Secretary's desk?

The Rev. Mr. BUEL, of Albany. I fear I did not.

The SECRETARY. Then it was not before the House.

Mr. CARTER, of Maryland. If the gentleman will allow me, in the debates as printed of that evening when the matter was under consideration, the gentleman from Albany just before taking his seat is thus recorded:

"I move, instead of the resolution presented by the Committee, that we concur in the message received from the House of Bishops and adopt their resolution."

The motion was then made by him in that shape.

The PRESIDENT, *pro tem.* Does the clerical deputy from Albany present that motion now?

The Rev. Mr. BUEL, of Albany. I do.

The PRESIDENT, *pro tem.* That then is the motion before the House, that we concur in the action of the House of Bishops.

The Rev. Mr. BUEL, of Albany. We have just heard the Canon read as it has been adopted by the House of Bishops: "Every minister shall on all occasions of public worship use the Book of Common Prayer, as the same is or may be established by the authority of the General Convention of this Church; and this rule shall be understood to prohibit all additions to, and omissions from, the prescribed order of said Book, except in the cases prescribed by Section XIV. of Canon 13 Title I."

That will be the Canon we shall have on the use of the Book of Common Prayer if we adopt the resolution I have now offered, and I think it will be a Canon adequate to the purpose. It will leave us in substance just where we have been, with the Canon somewhat improved, I think, in its terms, for the words "before all sermons and lectures" in the old Canon are thrown out; and it requires in general terms the use of the Book of Common Prayer established in this Church on all occasions of public worship. We all know that there are occasions, there are emergencies, in which every clergyman of this Church, following his own judgment and an enlightened conscience, and acting under the general direction or special guidance of his chief pastor, must in some measure vary from the prescribed order of services for the Church. That always has been a liberty which the common sense of the Church, the common law of the Church, has justified and approved, and no harm has ever come to the Church from the exercise of that liberty by the great body of her loyal clergy.

Now, how will the case stand if the proviso which our Fathers of the other House have, it seems to me so wisely, rejected, be restored and insisted upon by this House? Let us hear the proviso. It is:

"*Provided*, That on other occasions than Sundays, and the mornings of those week days for which a special service is ordered, and at all times in mission stations and other places than parish churches, where the prescribed order of Morning or Evening Prayer cannot be used to edification, other services may be used, compiled only from the Book of Common Prayer; but no such deviation shall be permissible, except on emergencies, without the approbation of the Ecclesiastical Authority of the diocese."

Now, sir, it seems plain to me that this opens a wide door of license. It seems to me that it will inflict a blow upon the Church, upon her Prayer Book, which will be dangerous and disastrous, if we adopt the Canon with the proviso that I have read. It allows, as we see, the clergy of the Church during the greater part of the year to depart from the prescribed order of Morning and Evening Prayer on all days except on Sundays and on the morning of holy days for which special services are provided.

The PRESIDENT. The gentleman's time is up.

The Rev. Dr. PADDOCK, of Long Island. The Committee on Canons believing that they understood the sense of this House, which asked for a little greater liberty in the use of the Book of Common Prayer, liberty designed to apply to such occasions as mothers' meetings, mission services, services on the docks, service in by-places where there are no Prayer Books, services in garrets and cellars, services during the Lenten season, where an abbreviated service selected from the Book of Common Prayer, with the approbation of the Bishop, would be useful and where the full service cannot be carried out, unanimously reported that, I think I may say, most carefully deliberated Canon. We are told now by the Rev. deputy from Albany, that the fault in the Canon lies in the fact, that it opens the way to all sorts of license. Before he made that remark, however, he went on to say, that the Canon as it now stands is open to just such license as a gentleman's judgment and enlightened conscience allows it to be opened to. With that Canon as it now stands, or rather as the Bishops propose it, they making it even more stringent, the Canon reading, "Every minister shall on all occasions of public worship use the Book of Common Prayer, as the same is or may be established by the authority of the General Convention of this Church," and then going on to say, that no other prayers shall be used, we are told that gentlemen, with that reading, can now have all the license which their enlightened conscience and their common sense and all that sort of thing give them.

We propose not to leave this matter to "enlightened consciences." There are consciences, and I profess to have such a one, which, whether they be enlightened or not, are not able to read that Canon as it stands, and as the House of Bishops desires it to stand in its main text, and then to go right out and day after day, during the Lenten season, with or without the authority of the Bishop, with or without being bound up in the Prayer Book, use such a Lenten service as they consider expedient. We provided that there should be a remedy; that that remedy should be carefully guarded against excess; that in emergencies which no man can foresee, a man shall do the best he can; that wherever the case is not an emergency, but a stated service, a peculiar service, there the officiating clergyman shall simply seek, before he lays out his plan for his Lenten service or the like, the approbation of the Bishop on his arrangement.

The House of Bishops, keeping to the strictness of the original text, proposes that a committee of nine, three Bishops, three presbyters, and three laymen, shall consider and prepare services for about ten different sorts of occasions—hospitals, schools, colleges, mothers' meetings, and half a dozen others, omitting fathers' meetings, which I am told are held very successfully in Frankford parish, and omitting many occasions, and three years hence, which is the earliest time, I understand they can report, if this House is

pleased with the services provided by the nine gentlemen of the three different orders, we are to have nine or ten approved forms of prayer rather than one Prayer Book.

I hope, therefore, that we shall not concur in the action of the House of Bishops, but shall simply let the old Canon stay just as it is, unless we can have one which will give us more liberty.

The Rev. Dr. ADAMS, of Wisconsin. My experience in this world has been that a clergyman cannot go into any congregation where he will not find a large element of self-will, whether that self-will assume the Methodist or Puritanic shape; and the great advantage of our Church has been that we have had a rigid law wherein self-will could not exert itself. We can come to the distinct declaration and be free.

I do not know who drew up this proviso, but I wish the clergy of this Church to consider it, and they will find in it an element of quarrelling with that self-will; that is to say, they will find that every man who, under any cause whatever, whether it be Puritanic or whether it be Methodistic, or whether it be his own wish to torment the clergyman, can do it, and the root of that evil is this word "edification." I have been in the West and I have used the Prayer Book under the old Canon. I found no difficulty, because there is an express law. A man who is antagonist to the Prayer Book cannot say anything against me if there is a law, and I say distinctly, "The Canon of my Church says so and so, and I cannot go against it." But here comes in the peculiar phraseology of the old Puritans, that is to say, when the service cannot be used to "edification." Now, sir, suppose we adopt such a provision; one man says to me, "The service is too long; we want preaching; we cannot use the service to edification." He has his opinion. He is a Christian man. He has the same right to his opinion that I have to mine. What does it amount to? Simply to a fight between him and me without any possibility of a decision upon it. He is of opinion that the service cannot be used to edification, being so long; that as a gentleman once told me, "It would be a great deal better to have a good deal more Evangelical, nice, warm-hearted preaching, and less of your service of the Church."

I submit it to the experience of every man, I do not care who he is, who has been in the ministry of the Church, if you adopt this thing and you have a layman in the congregation who does not like you and makes up his mind that he is going to fight you, and put you out because he dislikes you, there is the place where he can stand on to fight you. If he is puritanically inclined he can bring that in largely and extensively. Anybody who has read the history of the Puritans knows that the work of that peculiar class in the Church of England was to get out of the services of the Church as much as they could, and that their peculiar plea for it was that the services of the Church were not to "edification." Cotton, who left his Church in England and came out to Boston, worked that plea. Every Puritan worked it in those days.

I submit it to this assembly of clergy, whatever their doctrine may be, that it is a very stupid and a very foolish thing on the part of any clergyman to insert among the Canons of his Church a proviso which, if there be an antagonist minority to him, from personal grounds, or a Calvinistic or Methodistic minority, or any kind of a minority, will allow them to make difficulty upon this question as to whether the

services are to edification, and enable the trouble to go on until it comes to an end. With regard to us who are missionaries in the Church, who see our Bishop perhaps once in six months, perhaps seldomer, it simply amounts to inaugurating a quarrel in which there can be no decision until our Bishop comes around, and then perhaps it may be settled, and in the mean time we have been hurt badly and the feelings of every man in the congregation have been irritated.

The PRESIDENT. The gentleman's time has expired.

The Rev. Dr. MEAD, of Connecticut. I rise for the purpose of making a motion, and I will state my reason for it. It is some time since this subject was before the House. It went through the usual course, passed the House, after passing the Committee on Canons, was non-concurred in by the Bishops, and they have sent in this extra provision, which has been lying on the table for several days. And now, at the heel of the session, when the House is thin, a motion is sprung upon us to concur with the Bishops in a matter in which, I am free to say, I cannot agree with them. The Committee on Canons have recommended to this House to non-concur with the Bishops and settle the matter, and if any question is taken, it ought to be on adopting the resolution of inexpediency reported by the Committee on Canons, and dismissing the subject entirely from consideration during this General Convention. If we do otherwise, there will be an unfair advantage taken in any case, from so small a House, for numbers have been wearied and from necessity have gone home. I therefore move that this whole subject be laid on the table.

The motion was agreed to.

UNAUTHORIZED EDITION OF PRAYER BOOK.

On motion of the Rev. Dr. Goodwin, of Pennsylvania, the House resumed the consideration of the following resolution, submitted yesterday by the Rev. Dr. Andrews, of Virginia, on behalf of the Rev. Dr. Mason, of North Carolina:

Resolved (the House of Bishops concurring), That the introduction of any notation, punctuation, or other deviation from the Standard Prayer Book, is unlawful.

The Rev. Dr. GOODWIN, of Pennsylvania. That resolution was offered in connection with a report of the Committee on the Prayer Book, upon certain facts, and I should be glad to hear those facts read from the report of the committee. It would be better than my statement.

The SECRETARY read the report of the Committee on the Prayer Book, made yesterday.

The Rev. Dr. GOODWIN, of Pennsylvania. In connection with that subject I beg leave to call attention to the Canons which we have in regard to it, and especially Canon 17 of Title I, which reads thus:

"§ I. The Bishop of this Church in any Diocese, or where there is no Bishop, the Standing Committee thereof shall appoint one or more presbyters of the diocese, who shall compare and correct all new editions of the Common Prayer Book, the Articles, Offices, Metre Psalms and Hymns, by a copy of the standard editions; and a certificate of said editions having been so compared and corrected, shall be

published with the same. And in case any edition shall be published without such correction, it shall be the duty of the Bishop, or where there is no Bishop of the Standing Committee, to give public notice that such edition is not authorized by the Church.

§ II. The octavo edition of the Book of Common Prayer, the Articles, Offices, Metre Psalms, and Hymns, set forth by the General Convention of 1844, and published by the New York Bible and Common Prayer Book Society, and by Harper & Brothers, in 1845, is hereby declared to be the standard edition."

The SECRETARY. I wish to make one statement. The Rev. Dr. Mason came to me and asked me to append this resolution to those reported by the Committee. I understand it did not pass the Committee.

The Rev. Dr. GOODWIN, of Pennsylvania. It appears from the Canon that every edition shall be compared by a copy of the Standard edition, and that there shall be a certificate of said edition having been so compared and corrected published with the same. If it be alleged that musical notation and things of that kind are no part of the Prayer Book, I should ask first, what we have meant by solemnly making the punctuation, even in the smallest particulars (as to the question, for example, whether we should have a comma in one place, or a semicolon), a part of the Prayer Book, and acting solemnly upon that question whether there should be a comma or a semicolon in a particular place in the Prayer Book, considering that as part of the Prayer Book? I ask if the printing of words in italic is not a change? Is that a part of the musical notation? Then, there is the printing, as in the case here, of the name of the translation of Jehovah in small letters instead of capital letters. Is that not a departure from the standard edition? Is it safe for us to admit editions of the Prayer Book to be published with musical notation at all, as editions of the Prayer Book? The Canticles can be published by themselves. People have a perfect right to publish them as they please. Portions of the Prayer Book may be taken by themselves and published, I take it, as men please.

The PRESIDENT. The gentleman's time is out.

The Rev. Mr. HANSON, of Alabama. I should be very glad to ask the reverend deputy from Pennsylvania whether or not this edition of the Prayer Book to which he refers, has been authorized by any Bishop of this Church to be published? If it has not and has been stereotyped and has matter in it which the authorized Prayer Book has not, it is not a book belonging to this Church.

The Rev. Dr. GOODWIN, of Pennsylvania. May I answer that question? The question is asked whether this was an authorized edition. The edition bears on the face of it that it is copyrighted at a certain time and it bears on the face of it a certificate from a Bishop that it is an authorized edition, that certificate dated two years before, and the question is whether that is not a forgery.

Having changed the types, whether they be solid or movable types, after the certificate had been given, and issuing this new edition with a copyright with that certificate of two years before appended, the inquiry is whether it be not a forgery.

MISSIONARY BISHOP TO AFRICA.

The Rev. Dr. HAIGHT, of New York. The Committee of Conference with the House of Bishops are ready to report on the subject of the Missionary Bishop for Africa.

Mr. WITHERS, of Virginia. I move that the order of business be suspended to receive their report.

The PRESIDENT. By general consent that will be done without a motion.

The Rev. Dr. HAIGHT, of New York. The Committee of Conference beg leave to report to this House that, after conference, the House of Bishops have withdrawn the name of the Rev. William Hobart Hare as Missionary Bishop for Africa. I may also state for the information of the House—though it does not form part of the formal report—that it is deemed inexpedient at the present time to nominate a Missionary Bishop for Africa, but that the Presiding Bishop will be requested to call a special meeting of the House of Bishops for that purpose whenever the Foreign Committee of the Board of Missions shall request him so to do, if he at that time shall deem the same expedient.

UNAUTHORIZED EDITION OF THE PRAYER BOOK.

The Rev. Dr. CADY, of New York. I should like to have Dr. Mason's resolution read again.

The Secretary read the resolution.

The Rev. Dr. CADY, of New York. Anybody can publish an edition of the Prayer Book with these musical notes in it, provided it be not certified to be in conformity with the Standard by the Bishop of any diocese.

The Rev. Dr. GOODWIN, of Pennsylvania. There is a Canon on that subject. The Canon says if any edition be thus published without the certificate, the Bishop shall prohibit its use.

The Rev. Dr. HAIGHT, of New York. May I be allowed to make a single remark on the subject, because my attention has been called to it before? I understand the objection to a certain edition is that it contains in the Psalter the pointing for chanting; and the question is simply whether this is or not allowable in an edition which purports to be a copy of the Standard. Let us look at this question. That punctuation does not in the slightest degree affect the sense; it is musical notation, which in reading you take no notice of. In the second place, observe that editions certified by Bishops all over the country vary from the standard in certain immaterial particulars, and often very largely. You will find editions certified as copies of the Standard, which contain pictures, sometimes pictures of the Crucifixion which has been so much objected to. You will find them filled with pic-

tures; filled with photographs and bearing the certificates of Bishops. Again, you will find them printed very elaborately with initial letters, variegated, with differences of type; some of what is called the antique type—all sorts of type are used. In the next place, you will find some editions printed with the rubrics in red. There is nothing of the kind in the Standard. It does not affect the sense. Then you will find variegated borders around the page, and lines around the page.

I think if this matter is to be gone into it will have to be gone into very thoroughly; and if this Convention are disposed to say that no copy shall be considered a copy fit or worthy to have the approbation of a Bishop unless it conforms to the Standard, you will have to define not only the punctuation and the text, but you will have to define the sort of paper it shall be printed on; whether it shall or shall not have pictures; the sort of type that shall be used, and a hundred things of that kind. Now if the punctuation of the Psalter for chanting does not interfere in the slightest with the sense, any more than a red line around the page, I do not see the difference between the cases.

The Rev. Dr. MEAD, of Connecticut. Permit me to say that, in my opinion, and according to the action of this General Convention, we cannot be too cautious with regard to editions of the Book of Common Prayer. I was surprised to hear my reverend brother from New York express himself as he did; he who is now the custodian of that all-important matter, the Standard Book of Common Prayer, he who reported to us how many errors had crept in, had been designedly inserted, who made an eloquent speech on the subject which awakened us all in 1868, to the great importance of having just such a vigilant Cerberus to watch the Book of Common Prayer.

The Rev. Dr. HAIGHT, of New York. I shall take care of it.

The Rev. Dr. MEAD, of Connecticut. Here comes a Book of Common Prayer with musical notation. Permit me to give you a slight incident from memory. In 1841 I was appointed, with other gentlemen of this House, to act with a committee of the House of Bishops to prepare a new Standard of the Book of Common Prayer. In 1844 we presented that book. We had an octavo edition published and paid for, we did not ask the Convention to do it. We presented that as our revised edition of the old standard. An attempt was made in that committee to get the colon inserted in the divisions of the *Te Deum*, but it was resisted at once by all but one member of the committee as an innovation. It would not be a Standard with any false punctuation. The colon was to be there as a musical division. We resisted it. I will tell you further, that when we presented that Standard book in 1844, in the simple matter of the table of contents the committee were so thoughtless as to add to the table of contents the words, "Articles of Religion," etc., and the House immediately ordered the com-

mittee, in publishing the Standard, to strike that out as among the corrections made. Let me give you another instance. In 1832 the General Convention adopted a Hymnal, and the first edition of that book had the names of the composers of the hymns published.

That Prayer Book was quashed by order of the Convention. Any innovation of that kind was resisted.

Now I am free to say that if this House of Deputies or the General Convention does not put its mark upon such books we shall soon have them multiplied to an extent which we shall all regret. Let us have the Prayer Book as it is, according to the Standard, "pure and undefiled." As to the ornamental parts of the printing, the capitals and such things as that, I care not. The pictures I wish could be kept out; but as to the style of type, so long as there is not a letter, a word, a jot or tittle in the punctuation, contrary to the Standard book, let the rest go; but that has nothing to do with this which is introducing a style of music in the Church or a mode of singing the Psalter, and the consequence is that it is not according to the Standard.

Then again I submit humbly, with my reverend and respected and beloved brother from Pennsylvania, that in a book thus published under false pretences there is constructive at least, if not intentional forgery; and are we to countenance such a thing as that? I trust not.

The Rev. Dr. HAIGHT, of New York. Certainly not.

The Rev. Dr. HUBBARD, of New Hampshire. I wish to ask my friend from New York a single question. Does he consider the division in each verse of the Psalms, which is in the English Standard, a deviation from our Standard?

The Rev. Dr. HAIGHT, of New York. I do.

The Rev. Dr. HUBBARD, of New Hampshire. That is in this book. In every verse of the Psalter, in every verse of the Canticles, the colon is introduced as a musical division.

The Rev. Dr. HAIGHT, of New York. I should say that would be sufficient to condemn the book. I made my remarks in the interest of no book whatever, but simply to call the attention of the House to the point that if you are going to pass any enactment on this subject, you have got to look farther than simply the pointing for chanting.

The Rev. Dr. HUBBARD, of New Hampshire. I am not opposed to this division; I was in favor of having it introduced into the standard Prayer Book, as my friend from New York knows: but if we are to conform to the Standard in regard to that, then I say this book should be condemned.

The Rev. Dr. HAIGHT, of New York. The objection to the putting in of the colon, as given by the Joint Committee on the Prayer Book, was, that the colon being both a musical and a grammatical mark, and not being very well understood by our people, its insertion would lead to endless confu-

sion as to the sense. I have not examined this edition, and know nothing about it.

The Rev. Dr. HUBBARD, of New Hampshire. I would also say that in this Prayer Book, at the end of every psalm in the Psalter, is printed the *Gloria Patri*, with other deviations which we have noted.

The Rev. Mr. HUNTINGTON, of Massachusetts. It seems to me that if this Convention has been distinguished for any one good thing rather than for another, it has been for its distinguished love of fair play and justice. I doubt whether, in any deliberative assembly ever convened in this land, so exciting a debate as that of yesterday could have been held with so little disposition exhibited by any one to show anything but fair play to every person and every party. Now, sir, we have, it seems to me, an opportunity to show fair play here. If I understand the matter, this Prayer Book which is complained of is simply a musical convenience. There is no intention of altering the sense. I should be as much opposed as any one to any permission to alter the punctuation of the Prayer Book in such a way as to alter the sense. For instance, I am told that there is a clergyman in our Church who has such high views of the prophetic office of the Church, that in reading the Collect for the Second Sunday of Advent, he read it as it punctuated thus:

"Grant that we may in such wise hear them read. Mark, learn, and inwardly digest." I should be as much opposed as any one to legislation which should permit such punctuation as that; but seems to me the punctuation complained of in this book is simply a matter of musical convenience.

If I rightly interpret the spirit and temper of this Convention, it is that there is to be allowed a very large liberty in matters of worship. I know of no other logical interpretation of the action of the Convention last night but that. Therefore I hold that henceforth the choral service and the prayer meeting have an equal right and standing in this Church. I am not fond of prayer-meetings; I have never held them; but I am seriously considering now the expediency, when I return home, of adding to those services on holy days, which I do hold in my parish church, a weekly prayer meeting for the sake of those who love prayer meetings. In the community where I live, there is a Jesuit College and there is a very strong Puritan element. Hitherto I have been able to hold the Church steadfast between the two; but I am determined that the Jesuit college shall not have all the comfort from the action of this Convention; I am determined that the Puritan element in that community where I reside shall have some comfort too; and if there are persons there who love prayer-meetings, henceforth I hold myself perfectly at liberty to have them, and if any one desires the choral service, if any second parish is started in my town, and the choral service is introduced, not one word of protest or complaint shall come from me.

I hope in the name of fair-play that no interference will be made in this matter of a musical Prayer Book.

The Rev. Dr. ANDREWS, of Virginia. I am in some respects a Broad Churchman; but I am unwilling to carry that order of Churchmanship into editions of the Prayer Book. Our attention is called to the fact—and I have no doubt of it, for I have examined it myself—that the punctuation of the Prayer Book is a part of the Prayer Book and that punctuation does not only affect the sense, but it oftentimes destroys sense. In the book now referred to, words are printed in italics, which in the editions of the Bible indicate that such words are not in the original. I believe that fact does not take place in the Prayer Book edition of the Psalms, but in the Bible edition it is a fact. We have the patent fact that here is an edition of the Prayer Book purporting to be authorized by the Bishop of New York, which was not authorized by him and it becomes his duty under the Canon to take notice of that fact and to warn the Church against it. There are two or three other editions of the Prayer Book published, and if this is passed unnoticed we shall have perhaps a dozen in the course of the next three years. If ever the doctrine *obsta principii* held, it holds in this particular question. We are all interested in having one common Book. This not only destroys the sense, but I defy any man to take up the book and read it without being confused from beginning to end in the *Te Deum*, the Canticles, the Psalter, and it prints the *Gloria Patria* after each. The variations are a palpable violation of the Canon. We are called on to decide the question.

The Rev. Dr. RICHEY, of Minnesota. I am very glad to see among other things we are doing in this Convention, that we are beginning to establish some very important principles. I am especially glad to see it from the source from which the gentleman comes who spoke just now. We have already laid down as a very important principle, always to be maintained in this Church, that in matters of interpretation even to commas, the authority of the Church and the interpretation of the Church is to be retained in matters relating to Holy Scripture. I do think it is a most important principle and I hope it will prevail. One thing which I must object to is what I fear is in some respect the *animus* by which this thing has been introduced into this House.

The PRESIDENT. We have nothing to do with that, and no reference should be made to it.

The Rev. Dr. CLARK, of New Jersey. I believe I had the honor of introducing the subject.

The Rev. Dr. RICHEY, of Minnesota. Allow me to say that the deputy from Massachusetts urged that this was done only for musical convenience. It was declared on the floor of this House that there was more than a matter of musical convenience implied in this change. I do not know whether that be so or not; but I do say that I have used the book referred to with great convenience, but I think it is very important indeed to

be established that that convenience is to give place to the principle that even in matters so small as a comma, regarding the interpretation of the Holy Scriptures, no variation shall be allowed from the standard laid down by the Church. That principle is to be maintained at all hazards.

The Rev. Dr. HARE, of Pennsylvania. Mr. President, it is something to know what our fathers thought and did in this matter. When, about forty years ago, our Church set forth additional hymns, there came from the press of the well-known Church publishers in New York an edition of the hymns with the names of the several authors of the hymns prefixed, and the then Bishop of New York (Bishop Hobart) thought the thing important enough to issue a public notice that the edition was unauthorized by the Church, and it was suppressed.

The Rev. Dr. CLARKE, of New Jersey. I understand that copies of this interpolated Prayer Book were sent to a Southern Mission Station, and that the rector of the parish to whom they were sent was obliged to return them because he could not use them. The people did not understand the Prayer Book thus punctuated, as we desire them all to understand it. I do hope that we shall pass the resolution offered by the Chairman of the Committee on the Prayer Book in relation to this subject.

The Rev. Dr. PADDOCK, of Long Island. I have been informed, and that by an official whether it be correct or not, that the New York Bible and Common Prayer Book Society has issued such an edition also, and that it is sent out to our Missionary stations in our various dioceses. I do not press the point but simply throw it in to bring some light to bear on the question whether we are in danger of drifting into all sorts of editions unless there be some law.

The Rev. Dr. HUBBARD, of New Hampshire. That is the edition we examined and found the deviation in.

The Rev. Dr. GOODWIN, of Pennsylvania. I desire to offer an amendment. This resolution is quite too narrow, referring simply and solely to musical notation. I offer this amendment instead of it:

Resolved (The House of Bishops concurring), That the insertion in editions of the Book of Common Prayer of unauthorized italic letters, or of any changes of punctuation, or of any musical notations, or of any additional words whatever, is unlawful.

Mr. MUDGE, of Massachusetts. Mr. President, this is a greater subject than it seemed to be when it was first introduced. When the question of publishing the Hymnal came up the other day, the whole of this matter passed in review in my mind, and was the chief cause of my saying anything on that subject. Now, this Church, when it meets in Council here, and legislates, or attempts to legislate, on business, should, as I said the other day, put away, as far as possible, from the minds of its members, sentiment, even religious sentiment, for the moment, and look upon the bearings of the subject under discussion from a purely business point of view. In regard to the matter of publishing the Hymnal, all the objections which are now urged

as to the publishing of the Prayer Book, could have been controlled if my views had been carried out. I was obliged to advocate the passage of the resolution, which came down from the other House on that subject, fearing that if I did not advocate that I could not in any way carry the point I was striving to attain. Now, what is the condition of this Church in regard to the publishing of its Prayer Book? It has in former Conventions taken this subject under consideration, and determined that the Prayer Book, as the word of God, should go free. It gave up all right and title in that book as property, leaving it to every publisher in the country to publish it in such form, in such manner, with such punctuation, as he chose, provided, as I understand it, that any Prayer Book published in any way, punctuated in any way, italicized in any way, can be used in any diocese in this country, with the authority of the Bishop presiding in that diocese. Am I right?

The Rev. Dr. GOODWIN, of Pennsylvania. I beg to correct that if the gentleman will allow me by referring to the Canon. I read Canons 17 and 18 of Title I., where it will appear that it must be compared with the Standard edition, and a certificate given that it has been so compared and found to correspond, and the Standard edition is settled, what date it is, and what book it is.

Mr. MUDGE, of Massachusetts. I beg pardon of the Convention for having taken up its time in this discussion.

The PRESIDENT. The question is on the amendment of the deputy from Pennsylvania.

The amendment was agreed to.

The resolution as amended was agreed to.

DISSOLUTION OF PASTORAL CONVENTION.

A message (No. 69) was received from the House of Bishops, announcing that that House had concurred in the amendment of Canon 4, Title II., proposed in message No. 70 from the House of Clerical and Lay Deputies, with the amendments following, to wit: At the end of the first section add, "Provided, That the party or parties applying as above, shall first give the Bishop satisfactory assurance of compliance with whatever may be required of them as the final issue of such proceedings."

In Section II., line 1, omit the words "the Bishop and;" in line 7, omit the words "the Bishop and;" lines 16 and 17, omit the words "the Bishop and;" in line 18, strike out the words "to such minister or relinquish" and insert the words "to the Bishop that the minister be required to relinquish."

In Section III., lines 5, 6, and 7, strike out the words "according to the Canons of this Church to suspend him from," and insert "to forbid him."

The Rev. Dr. BURGESS, of Massachusetts. I move that we concur with the House of Bishops in these amendments.

The Rev. Dr. MEAD, of Connecticut. What do gentlemen know about them? On an important Canon are we to concur without knowing anything about it? I am astounded.

The Rev. Dr. HUBBARD, of New Hampshire. I move to refer the message to the Committee on Canons.

The motion was agreed to.

MISSIONARY BISHOP TO AFRICA.

A message (No. 70) from the House of Bishops announced the passage by that House of the following resolution:

Resolved, That, in accordance with the request of the Joint Committee of Conference, this House does withdraw the name of the Rev. William H. Hare, lately sent to the House of Clerical and Lay Deputies, and nominated for Missionary Bishop of Cape Palmas, Africa, and parts adjacent.

NEW DIOCESES IN ILLINOIS.

The Rev. Mr. GREGG, of Illinois. In behalf of the Illinois delegation, I desire to present to this House papers relating to proposed new dioceses within the limits of the present Diocese of Illinois. I am aware that we have a rule of order prohibiting the introduction of new matter at this time. I would state that these papers should have been presented to this House before, but in consequence of the Chicago fire, and circumstances which called members of the Illinois delegation home, these papers have been delayed and are presented at this late hour. I ask permission now to present them in behalf of the entire delegation in order that they may at least pass into the hands of the Committee on the Admission of New Dioceses.

Mr. WITHERS, of Virginia. I move that the rules be suspended in that particular so as to permit the introduction of the papers.

The motion was agreed to.

The Rev. Mr. GREGG, of Illinois, presented the proceedings of the Convention of the Diocese of Illinois, held in the Cathedral in the city of Chicago, on the 12th, 13th, 14th, and 15th days of September, 1871, consenting to the formation of two new dioceses in that State; and also a paper from the Bishop of Illinois, giving the statistics as to the number of parishes, clergymen, and communicants in each of the proposed new dioceses; which were referred to the Committee on the Admission of New Dioceses.

The Rev. Dr. DALZELL, of Louisiana. On behalf of the Committee on New Dioceses I desire some information in connection with the papers just referred to them. I ask whether the question is to be considered under the Constitution as it was, or under the Constitution as it is since the amendment that has been ratified by this Convention.

Mr. WITHERS, of Virginia. Has not the amendment of the Constitution referred to been adopted? ["Certainly."] Of course if no future time was fixed for its going into effect, it is in operation now.

The PRESIDENT. I should think so.

The Rev. Dr. DALZELL, of Louisiana. That is all we wish to know.

DISCIPLINE OF COMMUNICANTS.

The Rev. Mr. SHIPMAN, of Kentucky. I wish to ask leave of the House to call up a resolution now on the calendar, which I had the honor to introduce some week or ten days ago, looking to the appointment of a joint committee to report to the next General Convention, on the subject of disciplining the communicant members of this Church.

The resolution was read as follows:

Resolved (the House of Bishops concurring), That

a joint committee be appointed to consider and report to the next General Convention what action, if any, is desirable in addition to, or explanation of, the provisions already enacted by this Church for the godly discipline of its communicant members.

The Rev. Mr. SHIPMAN, of Kentucky. At this late stage of our proceedings I certainly would not attempt to make a speech, even if it were in order to enter into the merits of the question. The resolution looks simply to the formation of a committee to report to the next General Convention. My interest in this matter, I confess, is deep, and my colleagues on this floor will tell you—and if not, certainly my own parishioners will—that this interest is no new or accidental thing. It is among my most earnest convictions that the thing to which this resolution looks is a thing this which the highest interests of this Church very urgently require, and in this conviction I know that I do not stand alone. I know, for I have had the amplest assurances that not a few of the best men in our Church, Bishops, and presbyters and laymen, share in this conviction, and I submit that this is reason enough why the resolution should be passed. I submit that the fact that a considerable number of men, respectable for attainments and position in the Church, are of opinion that this thing of Church discipline requires the action of this body, is reason enough why this body should take the action called for; that is, should appoint a committee to inquire whether or not the opinion is well grounded and, if well grounded, then what is best to be done. I am willing to rest the matter just here. Only one thing I will add.

Some are observed to become rather nervous at the mention of Church discipline as if it were an unchurchly, unprimitive, uncatholic thing. It is the farthest in the world from all these. It is primitive, churchly, catholic. The discipline of the early Church was far-reaching and rigid, beyond anything known to modern days. We have gathered our ideas, we have derived our impressions of discipline rather from the modern Church of England than from the Church of the Apostles and the Martyrs. The modern Church of England is notoriously shackled in this matter of discipline by her connection with the State, and I submit that the fact that she walks in chains is no reason why we should go limping and halting after her. No consideration of respect or of reverence requires this. The Church of England, in her Commendation Office, as we all know, sighs over the loss of godly discipline, whose restoration, she says, is much to be desired. I might not be willing to see that peculiar form of godly discipline restored to which this Commendation Office refers. I might not be willing to see discipline restored in any of the particular forms in which it appeared in the early Church. Forms of discipline vary from age to age; as forms of sin vary from age to age; but discipline itself, the essential idea, must endure so long as sin endures and the holiness of God endures, and this awful condition endures which the Church derives from her Divine Lord. The part of wisdom for the Church, in every branch, is to detach this idea from whatever is merely local or temporary and re-embodiment it in forms suited to the living present, and this is what I should hope this Church would

do. But, as I say, the Convention incurs no responsibility in regard to this matter by the passage of the resolution. It is simply to inquire whether anything ought to be done or not, and surely this is no very great responsibility.

The Rev. Dr. ANDREWS, of Virginia. I trust by all means that the Committee will be appointed. There is no subject perhaps to which I have given more attention than to this. I have had a somewhat large observation, and I know that there are scores of clergymen, particularly young men, who could not retain their places if they were to execute the discipline as laid down in the rubrics. I think a report might be brought in touching facts and arguments which would make the ears of some of the communicants of this Church tingle. Whether the Committee report a Canon or not, their investigation cannot be but useful. Many a minister feels that he needs legislation to aid him in the discharge of his duty and he goes with a heavy heart because people can plead against him, "Usage, usage, usage," and he would be displaced if he undertook to carry out the provisions of the rubric whereby notoriously evil lives are restrained from the Holy Communion.

The PRESIDENT. The question is on the adoption of the resolution.

The resolution was agreed to, and it was ordered that that the Committee on the part of this House consist of three clergymen and three laymen.

RITUAL UNIFORMITY—HOLY COMMUNION.

On motion of the Rev. Dr. Watson, of North Carolina, the House proceeded to consider the majority and minority reports of the Committee on Canons on the subject of the creation of Suffragan Bishops.

A message (No. 71) was received from the House of Bishops, announcing that that House had adopted and enacted the following Canon, in which concurrence was requested:

CANONS.

The elevation of the elements in the Holy Communion in such manner as to expose them to the view of the people as objects toward which adoration is to be made in or after the Prayer of Consecration, or in the act of administering them, or in carrying them to or from the communicants, and any gesture, posture, or act implying such adoration, and any ceremony not prescribed as part of the order of the administration of the Lord's Supper, or Holy Communion in the Book of Common Prayer, and the celebration or reception of the Holy Communion by any Bishop or Priest when no person receives with him; likewise, the use at any administration of the Holy Communion, of any hymns, prayers, collects, epistles, or gospels other than those appointed in the authorized formularies of the Church, or under Section XIV. of Canon 13., Title I, of the Digest, are hereby forbidden.

The Rev. Dr. DEKOVEN, of Wisconsin. I move that that Canon be printed and made the order of the day for ten o'clock to-morrow morning. (No! no!) No such Canon as that can be passed in this House, possibly, without every one having the opportunity to consider it, without our having the opportunity to speak upon it.

The PRESIDENT. If it is to be debated, no motion can now be received in regard to it. There is a

subject before the House which was only interrupted for the purpose of receiving this message.

The Rev. Dr. DeKOVEN, of Wisconsin. When it does come up, I will make my motion.

SUFFRAGAN BISHOPS.

The PRESIDENT. The matter called up by the reverend deputy from North Carolina, is before the House.

The majority and minority reports of the Committee on Canons were read.

The Rev. Dr. WATSON, of North Carolina. I do not propose to consume the time of this House by any discussion at present on the subject of the creation of the office of Suffragan Bishops. It is too late now to secure the passage of such a Canon as we would desire to have. The minority of the committee would like to have the leave of the House to withdraw the resolution appended to their report and to present the following resolution in lieu thereof:

Resolved, That Title I. Canon 13, Section V., be amended by striking out the words "no person shall be elected or consecrated a Suffragan Bishop, nor shall there be," and inserting the words "there shall not be" so as to make the last sentence of the section read: "There shall not be more than one Assistant Bishop in a diocese at the same time."

The effect of this would be to strike out the prohibition of Suffragan Bishops. The whole force of this resolution, if passed, would be not to permit a Suffragan Episcopate in this Church, but merely to strike out the exclusion which the Canon now contains. This is what we should like to have; but if the House be not willing to grant us this at this time—I speak not now in behalf of myself or even of our deputation, but of the whole diocese which we represent—the diocese instructed us to present this matter to the General Convention and we should like to have this second resolution:

Resolved, That a committee of three presbyters and two laymen be appointed by this House with instructions to consider the propriety of restoring the office of Suffragan Bishops, to prepare the proper form for a Canon therefor and to report the same to the next General Convention.

I should like to have both those resolutions passed if the House will give them to us, but certainly the first will inflict no positive legislation on the Church; it will simply remove an obstruction and leave this Church open to future legislation if she sees fit to make it; and the second merely erects a committee to take the matter under consideration, and report to the next General Convention.

The Rev. Dr. HARE, of Pennsylvania. I have no objection to the passage of the second resolution but am much in favor of it. I cannot but think, however, that there is great objection to striking out these words from our existing law immediately without having more time for thought about the subject. There is a difference of opinion among writers upon the question what a Suffragan Bishop is, and independently of that matter, ought we not to have some regard to what is ancient, what has had the sanction of our fathers? This particular of the Canon in view is as old as anything belonging to our legislation. If it was not adopted in 1789 when our Constitution was adopted as I think it was, it was adopted in one of the Conventions nearest to that. Let us take sometime before we lay ruthless hands on the work of our fathers. I am for the sec-

ond resolution; but I deprecate most earnestly the hasty passage of the first.

The Rev. Dr. ADAMS, of Wisconsin. I move the indefinite postponement of the whole question, and I would give some reasons in reference to the matter if the House will permit me. ["No," "Question, question."]

The PRESIDENT. It is moved that the resolutions of the deputy from North Carolina be indefinitely postponed.

The motion was agreed to.

COMMITTEE ON INDIAN AFFAIRS.

Mr. WELSH, of Pennsylvania. I ask leave to call from the table a resolution reported to this House by the Committee on the Domestic and Foreign Missionary Society on Tuesday last, and made the order of the day for the evening, but crowded out by the ritual question. I move to take it up.

The motion was agreed to, and the House proceeded to consider the following preamble and resolution:

WHEREAS, In the good providence of God, the aboriginal inhabitants of this land are receiving merciful consideration from the Government of the United States; and,

WHEREAS, Its Chief Magistrate has asked the co-operation of this Church, and of other religious bodies in promoting the civilization of Indians by procuring for them moral and intelligent agents, by supervising their work, and by assisting those agents in training the Indians to industrial pursuits; and,

WHEREAS, The Domestic Committee of the Board of Missions has acceded to the request of the President of the United States so far as to nominate agents for certain tribes of Sioux and Ponca Indians; and,

WHEREAS, It is important that the hands of these agents should be upheld by the Church and that the Indians should be protected in their rights; therefore,

Resolved (the House of Bishops concurring), That the House of Clerical and Lay Deputies appoint a Standing Committee on Indian Affairs, composed of six laymen, to operate with the Board of Missions by supervising the secular work of the agencies under their care, by procuring such civilizing agents as the Government does not provide, by invoking the aid of the Government, and if need be, the assistance of the courts in protecting the rights of the Indians.

Mr. WELSH, of Pennsylvania. I ask for action on the resolution first, and I will explain it very briefly. Nearly all other religious bodies have appointed their best men to aid in this work of civilizing the Indians. Thus far nothing has been done by this Church. It is hardly likely that the Indians will retain one foot of land unless they have some influential persons to aid them in maintaining their rights. At the last General Convention, on the last day of it, the House of Bishops, at the instance of Bishop Kemper, sent a memorial to this House asking our aid in preventing the removal of the Oneida Indians from Wisconsin. We had not the specific information; the deputies from Wisconsin could not give us that information, and, therefore, having a horror of having anything to do with the Government, we declined to act. One of our Bishops has been compelled to go to Washington time and again on that subject.

It seems that the Oneidas purchased land with their own hard-earned money, obtained an act of Congress afterwards confirming the title, and are now about being swept from that reservation of their own. That has

been the history of nearly all the Indians ; and if this House is willing to raise a Standing Committee—and I am glad to see that some of the ablest lawyers on this floor are entirely willing to serve on that committee, and if a few mercantile men are willing to unite, as I find they are, we can protect the Indians in their rights with very little difficulty.

The Rev. Mr. GASMANN, of Nebraska. Mr. President, I beg leave to add a few words to what has been already said on this subject, as having some personal knowledge of the case in hand. I know that the danger spoken of is a real one. I know that the tendency and constant effort of many in the Western States is to drive the Indians off from their lands. I know, furthermore, that if this effort is successful, if the Indians are to be driven from place to place, it would be a greater charity to them to bring them out and put them in a common column and shoot them down. That is the truth. I know that the Oneida Indians of Wisconsin are a peaceful, law-abiding community, having bought their lands with their own hard-earned money, and have as good a right to them as any white man in the country can have, and better, because they were the real owners of the land before ever a white man paid one single cent of purchase money. I know, furthermore, that the Sioux Indians in Dakota, under the care of the Rev. Mr. Hinman, that godly man, are settled in their homes, they are building their houses, that they are opening farms, that they are being not only civilized but Christianized, and I know that if they shall be uprooted from their present homes and driven to the wilds of the West, this godly work which has been wrought thus far among them will be destroyed, and no man can foretell the miseries that will be heaped upon them. I am glad, brethren, that there are men in our midst fearing God and loving man, who are willing to give their time and attention to this matter to see that the red men are not defrauded of their homes. I am very glad that it has been put into the heart of this Church to take action upon this subject, and I hope it will be a strong and unanimous action, for, let me tell you, it is utterly impossible for the missionaries to see to these things. The spiritual wants of these people occupy their entire time. It is impossible for them to see to these other things, and it is out of the nature of things that they should, because the very day that you compel them to do so—and of course they will be compelled unless you take it out of their hands—that very day you make them politicians, and a missionary and a politician is an anomaly.

The resolution was agreed to.

The PRESIDENT. The question now recurs on the preamble.

The Rev. Dr. MITCHELL, of Georgia. I move to amend the preamble so as to make it read simply thus :

"WHEREAS, The Chief Magistrate of the United States has asked for the co-operation of this Church and of other religious bodies in promoting the civilization of Indians by procuring for them moral

and intelligent agents, by supervising their work, and by assisting those agents in training the Indians to industrial pursuits ; and whereas the Domestic Committee of the Board of Missions has acceded to the request of the President of the United States so far as to nominate agents for certain tribes of Sioux and Ponca Indians ; and whereas it is important that the hands of those agents should be upheld by the Church and that the Indians should be protected in their rights ; therefore—"

Mr. WELSH, of Pennsylvania. I should like to know the reasons for striking out the first part of the preamble as reported.

The Rev. Dr. MITCHELL, of Georgia. Because I do not think it becoming in this House to pass any judgment on the Government of the United States, to say if it be or be not merciful. I think this amendment will not impair the preamble while it will make it more tasteful to many members of this House.

Mr. WELSH, of Pennsylvania. I think it about time that we determine whether we will aid the Indian or not. I know that we have been conservative ; but I do think that conservatism has almost ceased. I do think that God's Spirit hath lifted us above the condition to which we have been dragged down and chained so long. I remember this question when it was dry, very dry, aye, so dry as the bones in Ezekiel's vision. I have lived to see it clothed with flesh ; and I do think this General Convention, this Board of Missions, this period of jubilee, has given evidence that the Spirit has breathed upon it, and there is new life.

In this matter there has been great difficulty. We have been praying for years for the President of the United States, and at length, in answer to our prayers, he comes and pleads earnestly with us to aid him in a work not committed to him but committed to the Christian Church. I found those representing the Board of Missions partaking very much of the character of the Church in conservativeness. I was compelled to go and plead with them and ask them whether, when there was so obvious an answer to our prayers, they could hold back. The body of gentlemen who met in New York, clerical and lay, I think fairly represented the Church, and after listening to all that was urged in behalf of the Board of Missions, the missionary body of this Church, acceded to the request of the President of the United States. The Church then, through her Board of Missions, is in actual contact with the government. Other religious bodies are. The agents have been nominated by the Board of Missions. They have been appointed and are at their work. Of course when they went out they were assailed by the whiskey people on the one hand, the thieves on the other, and the politicians between. Now whether we shall be afraid to own the fact that our prayers have been answered, remains for this Convention.

The Rev. Dr. MITCHELL, of Georgia. I have no objection to saying, as an individual, that the

action of the government is merciful, but as a precedent I do not wish this House to express any opinion whatever on such a subject.

The amendment was agreed to.

The preamble as amended was adopted.

RITUAL UNIFORMITY—HOLY COMMUNION.

Mr. MATTHEWS, of Massachusetts. As we have but little time left to us, I think the House is prepared to act on the message from the House of Bishops, proposing a new Canon, and therefore I move that we take up now message No. 71 from the House of Bishops.

The motion was agreed to.

Mr. KING, of Long Island. Mr. President, I trust we shall concur most fully and unanimously in that message from the House of Bishops, and I move that we take the vote at two o'clock. I will say that during the discussion of this whole question I have abstained from making any remarks upon the principle that I thought the committee who had had the subject under consideration had fully discussed it in all its bearings and, that further discussion was, as it were unnecessary. I had made up my mind on that after the members of the Committee gave their different opinions and announced their interpretation. I then voted, as far as I could, to carry all the various propositions which would put an end to this *quasi* Romanism; and I trust now that we shall not be permitted to go to our homes without some action on this subject; and therefore I move to concur in the message of the House of Bishops, and that the vote be taken at two o'clock.

The Rev. Dr. DEKOVEN, of Wisconsin. Mr. President—

The Rev. Dr. ADAMS, of Wisconsin. Before Dr. DeKoven begins I hope that the ten-minutes law will be repealed in order that he may have an opportunity of saying what he wishes to say.

[No. No.]

The Rev. Dr. GOODWIN, of Pennsylvania. There is a motion before the House to take the question at two o'clock.

The Rev. Dr. DEKOVEN, of Wisconsin. Mr. President, I rise to speak, and I have a right to speak, on that question.

The PRESIDENT. Certainly.

The Rev. Dr. DEKOVEN, of Wisconsin. Mr. President, I rise to speak with very great diffidence before this House, because I have once spoken; and yet I feel that I should fail in my duty both to myself and to the Church unless I did say something on this occasion. For five days we have discussed this very important subject. It has been discussed in a great variety of ways. I myself had the privilege of saying what I had to say. Many things that I did say have been misrepresented upon this floor. I patiently bore with these misrepresentations because they were partially personal matters. There were one or two things that were said which were not exactly personal, and I should be glad if it were possible to say something about those points

because I believe they bear on this subject in a most important way. It will be impossible for me to speak of them if I am to be bound merely to ten minutes, and therefore I shall not speak on them if I cannot have a little longer time than that. But now I wish to call your attention, not to those points, but to their very motion which has been made by the lay deputy from Long Island.

Are we prepared at the end of the session to take up a Canon which we have not considered—a Canon which embodies, I must say, certain things which were not in any one of the motions before us, and to pass it in ten minutes time? Are we prepared to do it when this House has absolutely thinned out and a very large number of persons who voted and who stood here until one o'clock last night in order to vote, are not here? I want to say something which as a matter of policy goes quite against myself. The diocese of Wisconsin, you remember, voted against that Canon last night. My brother the Rev. Dr. Beers was sick in his bed. He sent word to me that he would come from his sick bed in order to vote against that Canon if it were necessary. It was not necessary, because another one of the members was here and we had a majority against it. To-day, if you take that vote, the diocese of Wisconsin will be divided. Of course this makes for the side against me and I mention it, but I mention it to a House that I think believes in honest fair play, in manliness; and I would like to ask if this Canon is passed whether it means to appeal to the moral sense of this community. If it be supposed that a Canon which, whether you will let it be thought so or not, does strike at questions of doctrine, and questions of most important doctrine, is to be passed at the end of an exciting session, when people had supposed the question was settled, when there has a vote gone forth which rejected a Canon bearing on this subject, I ask whether it is fair play.

Then, Mr. President, another point: I say, if I can have the liberty of saying it before this House, in any way that will permit me to do it properly, that this Canon effects most important questions of doctrine: it effects the question of the Holy Eucharist, a question which has been in controversy in the Western Church for no one knows how many hundred years. And are you prepared to settle here a most important question in any sense—I will not say wholly settle it but settle it in any direction—without calm, deliberate, earnest, prayerful consideration? For the questions that affect the Holy Eucharist affect us in our deepest and holiest relation? And is it worth while for a Church that means to last longer than a year, to leave a question like that for time and consideration, and for careful, prayerful deliberation; for, mark you, Mr. President, it has been stated on this floor that this whole question of ritual affects the doctrine of the Holy Eucharist. It was stated on one side by the lay delegate from Virginia, who presented here the barest and simplest Zwinglian-ism, and who desired that we should pass this

other Canon on Ritual in order that people who do not believe in bare Zwinglianism might be driven out of the Church; and the same thing was implied in the speech of the lay deputy from Ohio. Then the eloquent clerical deputy from Massachusetts (the Rev. Dr. Vinton) presented another view of the Eucharist which was not Zwinglianism, and he wanted the Canon passed because it would strike out of this Church a view of the Eucharist which was not his view, and so on, the whole thing being this, That the object is to strike at the doctrine of the Real Presence. Now I want to say something about some of these ceremonies—

The PRESIDENT. You will have to ask for consent to go on; your time has expired.

The Rev. Mr. HUNTINGTON, of Massachusetts. I move that the gentleman from Wisconsin have ten minutes.

The Rev. Mr. PINKNEY, of South Carolina. I must vote against that. There are gentlemen who desire to be heard who have not yet trespassed on the House.

The Rev. Dr. MEAD, of Connecticut. The question has been discussed thoroughly.

The Rev. Dr. DEKOVEN, of Wisconsin. I really think I can say something which this House has not heard.

The PRESIDENT. The question is on the motion to allow ten minutes more to the deputy from Wisconsin.

The Rev. Dr. ADAMS, of Wisconsin. I hope he will be allowed as long as he wishes, in order to explain his sentiments. I have heard speeches upon this question on this floor of one hour and three quarters, and the least we can do in justice and equity to Dr. DeKoven, disagreeing with him as I do, is to let him speak until he has fully explained his position.

Mr. WITHERS, of Virginia. I should like extremely to vote for the motion extending time, but I cannot do it. There are a great many gentlemen who have not been heard at all on this subject, and if we extend the courtesy to one, the argument will apply with greater force to those who have never had an opportunity of presenting their views.

The Rev. Dr. HARE, of Pennsylvania. I beg to second that view, which is a very important one. This gentleman declares that he has some views before unheard of to present. Is not that the case with a dozen of the members of this House who have forced themselves to be silent on this subject, as a matter of conscience, so that they might not consume time?

The Rev. Dr. VINTON, of Massachusetts. There is another reason. The gentleman grounds his claim on the fact that we need instruction,—that it is a novel subject to-day because it comes in a fresh form. I appeal to the Convention, if ever there was a subject that was rubbed threadbare by discussion, it is this subject. If this House is not thoroughly informed at this moment upon all the bearings and elements of the question before them,

they never can be informed, and the disposition is for the House to grow thinner and thinner every hour, and it is therefore very important that we should settle the question at once.

The Rev. Mr. HUNTINGTON, of Massachusetts. Dr. DeKoven is a representative man in this debate, and I hope he may be allowed to be heard.

The Rev. Dr. CLARK, of New Jersey. Every man here is a representative man, and there are many men who have kept silence.

The Rev. Dr. AYRAULT, of Central New York. Dr. DeKoven has been publicly attacked in this body. He has had no opportunity of repelling these attacks or explaining misrepresentations. ["Question, question."] I appeal to the justice of this House that he have a hearing.

The Rev. Dr. McNAMARA, of Nebraska. And he has attacked others, as well as being attacked himself. But I hope he will have ten minutes.

The PRESIDENT. The motion is to give the deputy from Wisconsin ten minutes longer to address the House.

The motion was agreed to—ayes, 104, noes, 61.

Mr. DEROSSET, of North Carolina. I now move that all restrictions be removed,—that, in the words of the Constitution, "freedom of debate shall be allowed."

The Rev. Dr. ADAMS, of Wisconsin. It is utterly impossible that Dr. DeKoven, or any one else who understands the doctrine of the Eucharist, can explain it in any way substantially so as to be understood by this assembly of communicants and clergy in ten minutes.

The PRESIDENT. The deputy from Wisconsin has, by the permission of this House, ten minutes in which to address the House.

The Rev. Dr. ADAMS, of Wisconsin. I move that that motion be laid on the table, because it is perfectly unfair that a gentleman of this House who is speaking on this subject, should be limited simply to ten minutes.

The PRESIDENT. That has been decided by the House.

Mr. WITHERS, of Virginia. I rise to a question of order. The motion of the gentleman from North Carolina is out of order when the gentleman from Wisconsin has the floor.

The PRESIDENT. The gentleman from Wisconsin has the floor and will proceed.

The Rev. Dr. DEKOVEN, of Wisconsin. I thank the House for their courtesy and I feel quite certain that those brethren who voted against it, did not do so from any personal motives, but from a sense of considerations which were entirely not personal. ["Certainly."] Now it is impossible for me in the space allowed to go into the doctrine of the Real Presence. I only want to say something with regard to it, and then something with respect to another question.

First of all, the objection that I have to this Canon or any other like it, is that it bears upon doctrine, and seems to settle it in one direction. Now, questions of doctrine should not be settled

by any Canon which does not bear directly upon doctrine. Our Church has always acted on this principle. It has a Canon providing that if people teach false doctrine they should be tried and suspended, or punished in accordance with that Canon; and the objection to this is that it implies that people teach false doctrine by certain ceremonies and then punishes them, when perhaps they use those ceremonies without teaching false doctrine. I want to do what my brother from Wisconsin did yesterday, only in another direction; I want to give anybody in this House the opportunity of presenting me for false doctrine if he wishes; and in order to do so I choose some language which is rather balder and barer than any I myself would use excepting in a company of theologians, and I use this language for another purpose, which I will explain presently. I believe in—and this will be printed to-morrow, and I will write it out if necessary for anybody who wants to use it—I believe in “the Real, Actual Presence of our Lord under the form of bread and wine upon the altars of our churches.” I “myself adore,” and would, if it were necessary or my duty, “teach my people to adore Christ present in the elements under the form of bread and wine.” And I use these words because they are a bald statement of the doctrine of the Real Presence; but I use them for another reason; they are adjudicated words; they are words, which, used by a divine of the Church of England, have been tried in the highest ecclesiastical court of England and have been decided by that ecclesiastical court to come within the limits of the truth laid in the Church of England. So much so that that very Sir Robert Phillimore, whose judicial decisions have been quoted here before, has decided that “if he were to pronounce those words wrong”—now I read his very language—“I should be passing sentence, in my opinion, upon a long roll of illustrious divines who have adorned our university and fought the good fight of our Church from Ridley”—whom the clerical delegate from Massachusetts quoted as entertaining his view—“from Ridley to Keble—from the divine whose martyrdom the cross of Oxford commemorates, to the divine in whose honor that University has just founded her last College.”

Then he goes on to say:

“I say that the Objective, Actual, and Real Presence, or the Spiritual Real Presence, a presence external to the act of the communicant, appears to me to be the doctrine which the Formularies of our Church, duly considered and construed so as to be harmonious, intended to maintain. But I do not lay down this as a position of law; nor do I say that what is called the Receptionist Doctrine is inadmissible, nor do I pronounce on any other teaching with respect to the *mode* of presence. I mean to do no such thing by this judgment. I mean by it to pronounce that to describe the mode of presence as Objective, Real, Actual, and Spiritual, is certainly not contrary to law.”

I read these words from the “Judgment deliver-

ed by the Right Hon. Sir Robert Phillimore, D.C.L., Official Principal of the Arches Court, in the case of the Office of the Judge promoted by Sheppard *vs.* Bennett.”

Now, Mr. President, I come to another point. Of course all these Canons on ritual are based on this idea: that certain ceremonies symbolize another doctrine than that they are said to symbolize—the doctrine of Transubstantiation; and here is a very important point which I would like to have my brethren consider: What are these ceremonies? Why lights upon the Holy table; the use of incense; certain reverences, bows, prostrations, genuflections, and what not? All these things are supposed to symbolize the doctrine of Transubstantiation. I say they do not, first, historically, at whatever period these practices may be said to have been introduced in the Church of God, it is absolutely certain that they were practised long before the doctrine of Transubstantiation was ever heard of. Nobody can deny that fact. It is as historically true as any other fact of history. It is also as historically true that those symbols and those acts of ceremony are used in Churches which deny Transubstantiation. The Lutherans use them; the Greek Church use them. I do not want to enter into the question as to whether the Greek Church teaches transubstantiation or not; but in my opinion she does not teach Transubstantiation, and yet the Greek Church has those symbols; and, therefore, my second point is that historically they do not symbolize Transubstantiation.

Now I desire to say what they do symbolize. They symbolize the real, spiritual presence of Christ. The eloquent deputy from Massachusetts said that if he believed there was a material presence of Christ upon our altars, there was no position too humble for him to occupy. If I believe in a spiritual presence, is there any position too humble for me to occupy? Am I to be less humble in a spiritual presence than he would be in a material presence? Believe it, the difference between us is only this, That God gives to those who believe in this spiritual presence more faith. And if I prostrate myself—I do not do it, but were I to prostrate myself before the altar, it would only be because I see hidden behind all material forms Him, my own Saviour, whom I believe in, and love, and adore. And if I place upon head, upon lip, and upon breast, the sign of the cross, it is only to remind me of Him and His crucifixion. And if I place upon the altar the lights that blaze and glow, it is only because they typify here on earth the seven lamps of fire which burn before the throne of God, which no Canons and no General Conventions can ever put out; for Mr. President, there is the worship of heaven. Strip this Church, if you will, of its glorious symbols; I will tell you what it will remain. In that awful fire at Chicago the other day, the papers told us of one poor soul who, all blackened and scarred, was still found in the attitude of prayer. Blacken and scar this Church if you will; still with outstretched hands up-reaching

she will implore to him who lives amidst the eternal worship of heaven, where angels bear the vials full of odor, which are the prayers of saints.

Now, Mr. President, one word more, merely to correct a misconception of what I said on a former occasion. My reverend brother from Long Island (the Rev. Dr. Paddock) said that I believed the Church was dead, and he quoted my language in order to prove it. If he had spent as long in reading Holy Scripture as he did in tabulating those Canons, he never would have said that thing; for what was my illustration? It was of our Saviour standing before the grave of Lazarus. And what did those Divine lips say about Lazarus but, "He is not dead but sleepeth"? Yes, sir, this Church has been sleeping, and God has been waking her, and He is waking her to-day. And this question, believe it, before us, is not a question of ritualism or anti ritualism, but a question of the grand forward march and movement of the Church of God, which is meant to be not a Church for to-day, but a Church forever, the American Catholic Church.

Ah, as I see the triumphant march and swing with which I believe that Church will do her work in this country, my heart beats with a quicker throb and the giddy blood goes coursing through my veins. I see her marching on across those broad, wide lands of the West, beyond those prairies of Iowa, beyond the plains of Nebraska, beyond the Sierra Nevada, until she stretches out her hands to the far off East where the world is waiting for conversion. And, Mr. President, this Church of ours is to stretch out its hands on this side and on that, not in any narrow way. How our hearts thrilled when the Bishop of Lichfield spoke of the Anglo-Saxon race as destined to be the race which would give peace to the world. Why may not this Church of ours give peace to the divided branches of Christ's Church; on this side stretching out her hands to the Protestant bodies, saying to them, "We, too, are Protestant in certain senses; we disbelieve in the supremacy of the Pope; we disbelieve in his infallibility; we disbelieve in the shutting up of Scriptures in a tongue not understood of the people; we believe in a Liturgy that can be read and known of all men; we do not believe in a compulsory celibacy; we do not believe in enforced confession; we only believe in the grand Catholic doctrines;" and then, on the other hand, to say to people, "The ceremonies of the broad world, the ceremonies that typify Christ, the ceremonies that tell of Him, the ceremonies that teach me to believe not in any material presence, but in Him who by faith I see—these, these, shall be the ceremonies of our branch of the Catholic Church of Christ."

Mr. MASSIE, of Virginia. I move you, sir, that the vote on the main question be taken at 3 o'clock precisely.

Mr. DEROSSET, of North Carolina. I move, as a substitute, that all restrictions in this debate be removed.

Mr. MASSIE, of Virginia. That is no substitute for my motion, and cannot be. This is a question only of time. If the gentleman wishes to

move 4 o'clock, he can do so, but he cannot offer as a substitute a proposition which does not relate to this question of time.

Mr. MATTHEWS, of Massachusetts. I hope the gentleman will make it half past 3 o'clock.

Mr. MASSIE, of Virginia. Three o'clock will give us abundant time. If ever a question has been fully debated, this has been

Mr. MATTHEWS, of Massachusetts. I move, as an amendment, that the question be taken at half past 3 o'clock.

The Rev. Dr. CLARK, of New Jersey. Will it not be necessary to suspend the rule of order requiring an adjournment at three o'clock?

Mr. MASSIE, of Virginia. This is an equivalent motion.

The Rev. Dr. PISE, of Indiana. I hope the amendment will not prevail. There are some members who are compelled to leave at 4 o'clock this afternoon.

The PRESIDENT. The first question will be on the amendment of the gentleman from Massachusetts, fixing half past three o'clock as the time for closing the debate and taking the question on the message of the House of Bishops.

The Rev. Dr. RICHEY, of Minnesota. I have not heretofore troubled the House on the question that is now before it. When it was proposed to grant an extension of time to my friend, Dr. DeKoven, I voted in opposition to it. The reason why I voted against granting that privilege to one for whom I entertain so profound a respect, and who, as my classmate, has my deepest regard, was because I wished, at this stage of our proceedings, to present to the Convention the words of the oldest member of this House, who bears all the authority and weight that the most—

Mr. MASSIE, of Virginia. I rise to a question of order. The entire question now before us is one of time, whether we shall close the debate at a given hour.

The Rev. Dr. RICHEY, of Minnesota. That is the only question I propose to discuss. I said that when the motion was made to extend the time of my friend, Dr. DeKoven, for the discussion of this question, I voted no, and I so voted because, entertaining the opinion of my venerable friend from Connecticut [the Rev. Dr. Mead], I do not believe that this is the time for the introduction of a question like that which is now presented before us. When we had before us the question simply of the allowance of more liberty regarding our offices in the Book of Common Prayer, my venerable friend from Connecticut said—I took down his words at the time, and I shall read them now in the hearing of this audience:

"Now, at the heel of the session, when the House is thin, to introduce such a question would be a grievous injustice to all that belongs to the importance of the question in the minds of this Church."

And, as if this were not enough, he went on to speak of it still further, as "an unfair advantage taken from so small a house."

Now, I put it to this House, in view of the statements made by my venerable friend upon a question of far less importance, will they dare, before the American Church and before Catholic Christendom, force a conclusion on a question like this, at

the heel of the session, in a House so thin and so small as this? Will they dare to have it go forth that, upon a question like that of the presence of our Lord in the Blessed Eucharist, a question the deepest of all the questions that agitate the mind of the Church in this present day, they will force a conclusion? If so, gentlemen of the Convention, force it. I shall vote for it; but I shall also vote for the moral condemnation of this House, and for the moral condemnation of such legislation to the end of time.

As one of the youngest members of this House, I appeal to the honor and good faith and honesty of the members of this House; I appeal to the love which has animated the House in the discussion of all questions that have come before us, do not do that which will stamp your legislation, in the minds of all, as being wanting in the great principles of justice and fairness.

Mr. President and gentlemen of the Convention, I deprecate the introduction, at the end of a session like this, when minds are worn out and hearts are wearied with all the measures that have agitated us, of a question like this, involving considerations so great and all-important.

The Rev. Dr. MEAD, of Connecticut. I have one word to say with regard to the allusion to me by the gentleman who has just taken his seat. The question that was then proposed to be brought before us, was one which had not been ventilated day after day, and especially by gentlemen in favor of it. It was a question sprung upon us late in the session, without having had a fair opportunity in this House. But is there a gentleman here who will say that the question now before us has not been thoroughly ventilated? Is there one who believes that any man's mind will be changed by any emphatic speaking of this man or that? I do not believe it; nor do I believe that the individuals who are making this attempt believe it. It is obstructive; that is, the effort. I say it plainly, and I will not be misrepresented. I will remind my friend that the difference between the *suppressio veri* and the *suggestio falsi* is a very slight one.

The Rev. Dr. RICHEY, of Minnesota. I humbly deny the imputation that my venerable friend has put upon me. I desire no obstruction, but the fullest investigation before this House.

Mr. FORSYTH, of Albany. It seems to me we may as well begin to look at this business in a business point of view. I am not going into any discussion about theological doctrine. I have been here now twenty-three days, I think, in this Convention. One quarter of the time has been given to the discussion of theological questions on the Canon on Ritual. Now, I ask the Convention whether that subject is to be opened anew, and we are to have the discussion over again. I am here myself at some little expense of time and money. I venture to say that the expense of time and money in this Convention is really of more practical consideration and value than the determination of this Convention on this Canon. I told you last night, gentlemen, that this making of Canons is in vain. It is not called for.

Mr. MASSIE, of Virginia. I call the gentleman to order. He is not speaking to the question of time, but is discussing the merits of the Canon.

The PRESIDENT. That is so.

Mr. MASSIE, of Virginia. The simple question now before us is whether we shall take the vote at half past three.

The PRESIDENT. The Chair rules that it is not in order to discuss the merits of the Canon on the pending motion, but only the question of time.

Mr. FORSYTH, of Albany. I have a word to say on that subject. Freedom of debate is a principle of our Constitution, as I understand. Are you then going to choke off those gentlemen who have deep convictions on this subject, and desire to express them to other members of this House? Is there to be no end to legislation on this subject? Having closed this subject last night after a protracted debate, must it come into this House again to disturb our peace?

Sir, I am a new man on this floor. I never was more gratified than to see the spirit of this body, the intelligence and the ability manifested in it. I am frank to say that I never learned as much in any three weeks as I have in my experience on this floor as a silent witness. But I do not want this Convention disturbed in the general love, harmony, and beauty of its proceedings, by winding up its session in the discussion of this matter.

But the question is, shall we end the discussion at half past three o'clock? Sir, why is the subject brought here at all? What business has it here? Instead of allowing it to delay us now, let us send it over to another Convention. I deprecate the introduction of the subject here, but if it is to go on, speeches are to be made. I have only made a ten minute speech on the main question, and I have got five times that amount to say when the subject comes up.

Mr. STEVENSON, of Kentucky. I have not troubled this body during its protracted session. I have preferred to listen to gentlemen much more learned than I am, and would be willing to continue my position as an attentive listener for two weeks longer. If I did not believe that this subject had been fully discussed and that the mind of every man in the assembly was fully made up on the question, I would gladly yield to the eloquent appeal of my friend (and I use the term in its broadest sense) from Wisconsin to extend this debate.

Where did this measure spring from? Who in this body has introduced this measure at this late day? It comes from our fathers in God, those whom at least the laity have been accustomed to look to as leaders and as fathers, both from their teachings and their walk, competent to enlighten us and to become exemplars to us. They would not have sent this Canon to us at any time unless they believed that the best interests of the American Protestant Episcopal Church demanded it? They have sent it to us with a unanimity unexampled. They have sent it to us when a five days' debate, unequalled in ability, unsurpassed in any past experience of this Church, has been thrown before Christendom as reflecting the diversant sentiments of the distinguished members, clerical and lay, who constitute the Council of the American Church. And after that debate, with all the light which such minds—

The Rev. Mr. EGAR, of Pittsburgh. I rise to ask

if the gentleman is speaking to the question of time?

The PRESIDENT. He is.

Mr. STEVENSON, of Kentucky. I am trying to do so. It is upon the very point why I was unwilling as a layman in this body to vote for the protraction of this debate. It is because I believe every mind has been made up. It is because I believe the House of Bishops demand that this council should not adjourn without an expression of opinion on this subject. I impugn no man's motives; I impugn no doctrines; but I say we should now act at the hour designated, because it is a question just as great as the difference between false and true doctrine. That is the position I occupy. That is why I hope this Convention will not adjourn without acting. As the subject has been fully ventilated, as the mind of every man is made up, let us meet the question as Churchmen, as the custodians and representatives of the American Church; let us express our opinion, and when we have expressed it, let all bow to the majority of the Church.

The Rev. Dr. HARE, of Pennsylvania. I beg leave to ask the President as bearing on this question how the number of the House present to-day compares with the number of members present last night.

The Rev. Dr. MITCHELL, of Georgia. I sought to get the floor to state the fact that only two persons at most, and it is a difference of opinion—as the Secretaries have it, only one person has had leave of absence since yesterday morning.

The Rev. Dr. HARE, of Pennsylvania. If the vote is taken by dioceses and orders, what difference will the absence of one member make in the result?

The Rev. Dr. MITCHELL, of Georgia. None, sir. The delegation is still represented.

The Rev. Dr. HARE, of Pennsylvania. Then I beg leave to ask the gentleman who made the statement—I believe it was the Rev. Dr. Pise—how it was ascertained that members would be obliged to leave the House at 4 o'clock this afternoon? As I do not see him, I beg to ask Judge Howe, of Indiana, to give the information which was not distinctly heard in this part of the House.

Mr. HOWE, of Indiana. I understood the fact to be stated that Dr. Pise, one of the delegates to this Convention, would leave at four o'clock.

The Rev. Mr. BRONSON, of North Carolina. I will state further that two of the clerical members of my own delegation who occasioned the division in the vote yesterday by which the vote of the diocese was destroyed are not here this morning, but may be in after four o'clock or by to-morrow morning.

The Rev. Dr. HARE, of Pennsylvania. If I mistake not, facts enough have been adduced to show that there is no force in the argument that this Canon is brought in from the House of Bishops at too late an hour. We compare with yesterday as we on yesterday compared with the day before. It is a full House. If reverence to our fathers of the other House demands that we should make some response to their proposal, no reason has yet been adduced why the reverence should not be exhibited.

The Rev. Dr. SCHENCK, of Long Island. I wish members would bear in mind the fact in whatever

we are about to do that courtesy to the House of Bishops requires that we take some action on their message. We have got to vote on it sooner or later, and I think the more fairly and squarely we come to it and the sooner we get to it, the better. Everybody seems to have his mind made up, and those gentlemen who seem to think that the minds of others are not made up are men whose minds, certainly, if I can judge from their speeches, are most positively made up. We are all prepared to vote. There is no doubt about that. I suppose any member in this House would consider himself insulted if he were to be asked if he was not prepared to vote. We have got to vote. The matter before us is a message from the House of Bishops. We must treat it with courtesy, and I think all these motions for delay at this particular time are—I will not characterize them as I probably might be disposed to do if I were less charitable than I am—but they are certainly for the purpose of taving off action. We have got to come up to it, and the sooner the better. So, I trust gentlemen will avoid parliamentary tactics and come immediately to the question of concurrence or non-concurrence.

The Rev. Mr. GREGG, of Indiana. I move as a substitute that the main question be put at four o'clock. We have all been very much pleased with the temper of this House during the discussion. As Churchmen we have reason to feel encouraged by what we have seen, and I would say more that we have reason to feel grateful to God for His direction in this matter. The special committee did not understand what they were doing when they reported the Canon which has excited so much discussion. They did not expect that this discussion would take such a wide range, and that so much information would be elicited on this floor; but God seems to have directed them in this matter with a view to the enlightenment of the mind of the Church. Why, after this good temper, should we attempt to close the discussion? It is true the discussion has been protracted, but we have been more thoroughly enlightened on the subject. Could such a discussion as this have been had three years ago in the General Convention of this Church? No, sir. We have come up to a higher point and we are better prepared to consider this matter, and with a view to a more thorough enlightenment we should put it off still longer in order that we may be well prepared to decide this important question. In this discussion we are encountering one of the great tendencies of this age, and it should not be forgotten by this House. The tendency of this age is Ritualistic; and when I say this I do not mean that there are not practices in the Church that I cannot approve.

The PRESIDENT. That certainly is entering on the merits of the case.

The Rev. Mr. GREGG, of Illinois. Then, sir, I will only add that we are not prepared to take this vote now, and I contend that those gentlemen who have consumed so much of the time of the House in this discussion should not insist now that the vote be taken immediately. We have heard a number of gentlemen here who have spoken over

an hour on this side and our lips have been sealed, and now those gentlemen come and tell us that this question should be closed. I say that those of us who have not been heard upon this subject should say whether this question should be taken now. I insist upon it that the debate should be prolonged with a view to giving every one a fair hearing on this important subject.

The Rev. Dr. MORSELL, of Delaware. I have tried, I do not know how many times, to make a speech upon the subject of ritual, which, in God's providence, and by the fact that I was unable to catch your eyes, Mr. Chairman, was prevented. [Laughter.] But, sir, the wise man says there is a time to be born in; there is a time to die in; a time to dance in; a time to laugh in; and I think if he had lived in our day he would have said, a time to vote about ritualism in. I think it would be very well to add that sentence to that chapter, and I advise gentlemen to read it and ponder it in that light. Why, sir, life is too short to be wasted in the long discussions we have heard about this subject. Our fathers came to a conclusion. The good old Bishops of England when they were at the stake with regard to this matter said, "To-day we will kindle a light that by the blessing of God will never go out"; and they have handed the light from their house to ours, and it is blazing and showing us the pathway of duty. The time has come to vote. "Procrastination," as I used to read as a mark in my copy-book when I was a boy, "is the thief of time." How much time it has stolen here, we cannot possibly tell. Sir, the Church, the age, the world, is looking upon us. Everything shows that the time has come to act, and our acting is by voting.

The PRESIDENT. The question will be taken on the longest time first.

Mr. MATTHEWS, of Massachusetts. I will accept the amendment fixing four o'clock.

Mr. JUDD, of Illinois. I happened to be out when this message was received, and I should like to know what it is.

The PRESIDENT. The question now is on fixing a time for taking the vote, and there is a message from the House of Bishops which bears very seriously on that question, and which will now be read.

The SECRETARY read message (No. 72) from the House of Bishops, announcing that that House had adopted the following resolution:

Resolved (the House of Clerical and Lay deputies concurring), That the Convention adjourn *sine die* this evening at ten o'clock and thirty minutes P.M., after hearing the Pastoral Letter.

Mr. JUDD, of Illinois. I now know what the question is, and I desire to say only a word or two upon it. Gentlemen have urged that we should take this vote, because this House has been enlightened by the House of Bishops. I reply to that, that if this House is a co-ordinate branch of the General Convention, it is our business to vote according to our information and our enlightenment. Members of this Convention have gone away supposing that this whole question had been disposed of, and I ask now in all fairness, is it right, is it just, is it proper, to bring this matter in here to-day, opening up the whole question again, involving a discussion of the various points, mentioned in that Canon, which have not yet been discussed? It seems to me that that is improper. Gentlemen around me say that there is as full a House as

there was yesterday. I answer that I happen to know to the contrary. I know that delegates have left and left Dioceses without any representation; and inasmuch as this whole matter was considered as having been disposed of last night, I move that this whole question be postponed until the next General Convention, and I call for a vote by dioceses and orders.

The Rev. Dr. McNAMARA, of Nebraska. I wish to ask, for information, whether this Convention is in session or whether it has determined to adjourn. What difference does it make who goes away if we have a quorum present?

The PRESIDENT. Pending the question of time which is before the House, I do not think the motion for indefinite postponement is in order.

Mr. JUDD, of Illinois. If the vote be taken on the main question, then I cannot make the motion for postponement until the next General Convention. The rules do not recognize this idea of fixing a time. It is equivalent to the previous question. It is adopting a rule which, in my judgment, is in violation of the Constitution. Rule 12 reads as follows:

"When a question is under consideration, no motion shall be received unless it be to lay on the table, to postpone to a certain time," etc. And the several motions stated shall be taken in their order. Now, then, my motion is to postpone to a certain time, to the next General Convention.

Mr. MASSIE, of Virginia. I move a suspension of the rule requiring an adjournment at 3 o'clock.

The Rev. Dr. SCHENCK, of Long Island. We have constantly at this session resolved to take the vote on a particular question at a particular time. It has been discussed again and again, and the precedent has been accepted.

The PRESIDENT. That is perfectly understood. The only question is whether on that, a motion for indefinite postponement can be made. In the first place, I must put the question whether this session is to be extended beyond three o'clock.

The motion was agreed to.

The PRESIDENT. The question now recurs on fixing the time for taking the question on the message of the House of Bishops, at four o'clock.

The Rev. Mr. GILLESPIE, of Michigan. I offer the following as a substitute:

Resolved, That it being impracticable at this late period of the session, when many members have left the Convention, to obtain such a vote as would be a just representation of the views of the members of this House, this body respectfully declines to proceed again to the consideration of this subject.

If I may be allowed a moment to remark, in answer to the suggestion—

Mr. MASSIE, of Virginia. I rise to a question of order. That proposition is not cognate to the question before the House. If the gentleman wishes to substitute any other hour, he can do that.

The Rev. Mr. GILLESPIE. I do not say a word about the time.

Mr. MASSIE, of Virginia. I know you do not, and therefore your substitute is not in order.

The Rev. Mr. GILLESPIE, of Michigan. I appeal to the Chair to decide whether it is in order or not.

The PRESIDENT. I believe it is not in order, and I will remark to the gentleman from Illinois, that if the House determine to take the question on this whole matter at four o'clock, or at any other hour, all

amendments and all motions such as that which he has made will be in order in the interval.

Mr. JUDD, of Illinois. Very well; if that is the understanding, I have no objection.

The PRESIDENT The question now is on taking the main question of concurrence with the House of Bishops, allowing amendments to be offered—that must be particularly understood—at four o'clock.

Mr. WARREN, of Albany. On that question the delegation of the Diocese of Albany calls for a vote by dioceses and orders.

The Rev. Dr. BERKLEY, of Missouri. Then, as the calling of the roll will take until nearly half-past three o'clock, I suggest that those who are anxious to have a vote on this question, vote for four o'clock.

The question being taken by dioceses and orders, resulted as follows:

CLERICAL VOTE—Thirty nine dioceses represented. Ayes 24, noes 12, divided 3.

LAY VOTE—Thirty three dioceses represented. Ayes 23, noes 8, divided 2.

So the motion was agreed to.

Mr. MATTHEWS, of Massachusetts. Mr. President, I believe that if this Canon is defeated, and I trust it will be now at this late hour, the gentlemen who favor it may thank the Reverend Divine from Massachusetts [the Rev. Dr. Vinton] for having defeated it. I believe it was his extreme views expressed in his remarks that took people the other way; and I must say as a Churchman coming from Massachusetts, having sat under his ministration for many years, if I am obliged to adopt the one way or the other—

The Rev. Dr. BABCOCK, of Massachusetts. It seems to me that these personalities are out of order.

Mr. MATTHEWS, of Massachusetts. I am not going to use personalities. I will say that if I am obliged to adopt the extreme of either side, I would prefer taking that of, not the extreme Ritualists, but what are called the Ritualists. I believe that in Massachusetts (and I only speak for my own State) we have not Ritual enough, and that that is the cause of the decline of the Church there. I say the decline of the Church, because I believe the Church is declining in Massachusetts, or in the city of Boston. Let the clerical delegates from there, when they go home from this Convention, go to their churches and witness the difference between the congregations there and the congregations that they have met in Baltimore. In the one case, they see empty pews; in the other, churches overflowing. I believe that that is attributable to a little more ritualism here. Not ritualistic churches, but more ritualism is required in Massachusetts, and on that account I am unwilling to vote for any measure here at this late hour that shall bring in one side without bringing in the other.

I believe that there are practices in Massachusetts, in relation to the Holy Communion, which are as objectionable as those brought forward by the gentleman from Wisconsin, if they are objectionable at all. I think when we review this subject, we should take in both sides.

Now, sir, we decided this question fairly yesterday. Although but few gentlemen have asked leave of absence, I have reason to know that a great many gentlemen in this Convention have left. And at this late hour I hope no trap will be sprung upon this Convention.

It has been said that we are bound to recognize the Right Rev. Fathers of the Church. I do bow with

great reverence to their wisdom and discretion; but as has been said by the lay delegate from New York, the lay members of this Convention are one branch of this Church, the largest branch of this Church. Are they to be deprived of their influence and their vote simply because the upper House send down their wish to us? I say no. The lay delegates have just as good a right to vote on this question as either of the other orders. Let us come forward at this late hour and say we will not go into this subject which has once been fairly voted down.

Before taking my seat, I will simply say, that I did not intend any personality whatever to the distinguished divine from Massachusetts. I wished to draw a comparison between the churches of Massachusetts and churches in other places, where they have a little more ritual. I am in favor of more ritual rather than less.

The Rev. Dr. BERKLEY, of Missouri. The gentleman ought also to take back the reflection that he made on the House of Bishops. He calls this a trap set by the House of Bishops to catch this Convention.

The PRESIDENT I did not understand him so.

The Rev. Dr. BERKLEY, of Missouri. I did, and I suppose it was understood by others in the same way.

The PRESIDENT. Then I suppose he will take that back.

The Rev. Dr. HAIGHT, of New York. He did not say it.

The Rev. Dr. BABCOCK, of Massachusetts. Mr. President, if it is proper on this floor to call up the affairs of a single diocese, it is also proper that a reply should be made; and in behalf of old Massachusetts, I disclaim the result from the premises laid down. I do not believe that old Massachusetts is hindered for want of ritual. Her churches in the main behave themselves decently and in order. They observe to a very great extent the ritual of our Church. They are faithful and loyal and true to all the grand principles and to all the proper ritual of the Church, so far as regards the observance of daily worship.

Now, sir, if you would take the opinion of another person from Massachusetts, one who has endeavored to give the subject some little thought, I do solemnly and in the presence of God, before whom I and all of us are to give account, assert that the great hindrance to the Church at this day in Massachusetts is the Ritualism that prevails throughout our Church in other places. I believe it, and I affirm it.

As for drawing a contrast between Massachusetts and Baltimore, the conditions are altogether different. We live there under the overshadowing of old Puritan and Congregational principles. It has been only by assiduous work, by earnest, devoted Church work, that we have been able to bring ourselves up on to the same plane with the denominations around us. My own memory goes back over a not very short ministry, and I can remember when the churches were few and far between, when they were in low estate; but now the thing is entirely reversed. No Congregationalist, no Puritan in Massachusetts looks down upon us with scorn and contempt. We have taken our position side by side with the best. In matters of liberality, in the ratio of communicants, in the general intelligence of our people, in having the professions represented in our Church, I say we stand peer, and more than peer, among them at this day; and were it not for this blight of Ritualism we could

increase our Church in old Massachusetts tenfold in a very short space of time.

I am astonished at myself for being on the floor and being called up under these circumstances ; but since the subject is up, I will allude to a single fact. I do it reluctantly, because it concerns a very sad condition of our country a few years ago, but nevertheless as it will tend to the exaltation of the character of the Church, I venture to name it. All over Massachusetts and all over New England political sermons were preached during the great calamity that fell upon the country, and there stood ready to come out of Puritanism and Congregationalism into the Episcopal Church scores upon scores of men, who were hindered for fear of the Ritualism that was in the Church.

Sir, I repudiate this charge. Much as I honor my esteemed friend, and pleasing as my intercourse has been with him, I think that he traduces the old Bay State, and I stand up here by your permission, sir, in her defence. I believe that in all the sections of the land you will never find a more loyal section to the Protestant Episcopal Church of these United States.

The Rev. Dr. NELSON, of Maryland. I will state in a very few words why I shall vote not to concur in the message sent down from the House of Bishops. My first reason is, that this is a reiteration of the very points which we voted down yesterday. If our Rt. Rev. Fathers anticipated any change of mind on the part of this House, I think they ought to have asked for a Committee of Conference and sought through a Committee to induce us, their filial sons, to change our minds. But last night this very identical project was lost for want of constitutional majority, and then the Bishops this morning reiterate the same thing in substance, only a little worse, if possible, and send it down to us for our concurrence. I am opposed to it, because I think the proper course for them would have been to ask for a Committee of Conference.

Then again, I am opposed to it because it will tend to leave a false impression on the Church. There may be a few eccentric people here and there who do—I will not use a word which might savor of profanity—I was going to say play tricks or antics before high Heaven—they may be a few, here and there, who by an excessive posturing and so on would lead people to suppose that they were worshipping perhaps a mere external or carnal thing; but if that is the case I have never seen any such people and do not know anything about them. But if such be the case, let the Ordinary of the diocese in which such people play tricks put a stop to them. Surely the Bishop has Episcopal prerogative and power enough to control such a thing as this.

While I am up I will say a single word with regard to a remark which fell from the lips of the clerical deputy from Massachusetts (Dr. Babcock). He said the reason that old Massachusetts did not flourish more in church matters was because Massachusetts heard of Ritualism somewhere or other. He stated distinctly that these Ritualistic difficulties were the cause which prevented the churches of Massachusetts from being more frequented. Well, sir, he may believe that who can ; but I am very sure, that as far as I know anything about our churches either here or elsewhere, I observe no such thing. Then, as a parallel to old Massachusetts, I point you to old Virginia, my glorious mother, where I have never seen the Church as flourishing as it is now, where I find the little parish churches crowded with worshippers ;

and if Massachusetts has been scared out of her propriety and also scared into empty churches, on account of Ritualism, why does it not happen in old Virginia? I am sure my Virginia friends have no sympathy with Ritualism.

The Rev. Dr. HANCKEL, of Virginia. We have plenty of it.

The Rev. Dr. NELSON, of Maryland. Just as much as you want, and a beautiful Ritual you have, I confess. I know it. I should like a higher service, a service with more Ritual in it than some of my friends have in Virginia; but at the same time I can worship there with great earnestness, as I have done during the past summer. All I mean to ask is, if the emptiness of the churches in Massachusetts is to be ascribed to the fear of Ritualism—I know it is not true in Worcester—how is it about old Virginia?

Mr. WITHERS, of Virginia. I stand here before you, Mr. President, and gentlemen, as an humble lay representative from Virginia; and being neither doctor nor clergyman, it is not to be expected that my periods will be as beautifully rounded or as fluently uttered as those to which I have so long listened. But I stand here, as I believe, representing the great mass of the laity of the State of Virginia, and coming here in that capacity, I ask you to take my views as the plain common-sense views which are entertained by nine tenths of the people of Virginia who are members of this Church.

I believe in the fullest extent in the views which were so beautifully expressed by a clerical delegate on my left, I think from Massachusetts. I believe that this Church is broad enough to accommodate every person who stops short of Romanism on the one side and Puritanism on the other ; and I am opposed to any restrictive legislation which would provide for us a Procrustean bed upon which every man who comes into this Church shall be placed.

But, sir, while I say this, I also say that the members of the laity of the Church of Virginia do not believe in any doctrine which elevates, for worship, the bread and wine at the Communion table. We believe that it is spiritually received, that our faith is strengthened and refreshed thereby, as our bodies are by the bread and wine, but not that the bread and wine should be elevated as objects of adoration and worship. Have as much ritual as you please, sir, provided it falls short of that.

I would also, in this connection, make an allusion to the reason which has been urged here, why this Canon should be voted down, attempting to establish its identity with that which was voted down last night. It is a distinct and separate proposition. The Canon voted down last night went far beyond this. It embraced in its provisions many subjects that are not included in this, and the sole object, as I conceive, of our Rt. Rev. Fathers in God in sending down this to us was, in their opinion, to stamp the seal of their disapprobation upon those practices which they conceived were striking a blow at the fundamental principles and doctrines of the Protestant Episcopal Church.

The limited time that is at my command forbids, of course, any discussion of this question ; but I

wish to inform you of what I conceive to be the sentiments and feelings of those of whom I stand here as one of their humblest representatives. I ask of this body not to be deterred by any suggestions that this is the heel of the session, and therefore that it is unwise, and unjust, and unfair, to attempt to legislate on this subject now. The records of your House show that there is a very large majority of the different dioceses now represented here, they show that this subject has been discussed in all its aspects, and therefore it is no trap that is attempted to be sprung upon them, as has been intimated; and I appeal to this Convention not to let it go forth to the world and to the Churchmen of America that this Convention dare not put its heel upon the doctrine that adoration should be practised to the elements which are used in the Holy Communion.

The Rev. Dr. ADAMS, of Wisconsin. Mr. President, it is generally thought that I am a very excitable man, I believe. Now my business at this present time is to say to you all, keep cool. I wish to point out a few things that are to be thought of in this matter. My friend, Dr. DeKoven, and I are on opposite grounds. He has made a speech. What is that speech? It is a speech that is wholly and entirely personal. It takes it for granted that he stands here as a representative; that we are legislating, and I suppose going to condemn him, and therefore he stands up and makes a profession of his faith, and he says thus and so. Now, Mr. President, I wish you to understand that we want no personalities in this case, we want no martyrs, we want no meek lambs who are to be sacrificed to doctrine here; we want simply a clear declaration upon that which is before us.

Now, I wish to say that upon this matter of the Holy Eucharist, the question is the most dubious and the most debated matter in Europe now for a thousand years. The doctrine which Dr. DeKoven holds, I believe, is the same as that of Dr. Pusey. It is identical, more or less, with the old doctrine of Consubstantiation. I do not wish the clergy or laity in this House to get scared and talk about a difficult question, and get into an excitement and imagine that Dr. DeKoven is coming here and speaking heresy. Dr. DeKoven—

The PRESIDENT. You will please speak of your colleague as your colleague, and not mention his name.

The Rev. Dr. ADAMS, of Wisconsin. I beg pardon. My colleague is not a heretic in any shape or form. He holds a doctrine which is tolerated in the Church, as every other doctrine, except Zwinglianism, is. I do not want the members of this House to get under an excitement, and imagine they are persecuting him and putting him down. My colleague has taken a position before this House which is very distinct and clear. He says, "I come forward and tell you I believe thus and so. I am willing to write it down if you think it necessary. You can try me for it, and I am willing to be tried upon that ground." My colleague, therefore, has

taken simply the right ground, that he is not going to be tried and beheaded by act of Parliament, as the English Parliament did William Lord. But at the same time, if this House imagine that my colleague is a meek lamb to be martyred here, they make a great mistake. My colleague is simply one of the shrewdest and ablest party leaders that has ever been on the floor of this House.

I would not have spoken of this but that I was afraid this House would accept the position he has tried to put upon them, and come in and talk as if it were a personal matter between him and this House. I do not want them to fall into any such trap. Martin Luther, in days of old, stood up before the assembly of the German people and said, "I believe thus and so; I cannot believe otherwise." Mr. President, we do not want any Martin Luthers here in behalf of this matter.

I believe in the doctrine of the Real Presence, in the doctrine of Christ's presence, personally, actually, and really, in the Holy Eucharist as clearly as my colleague does, but I do not believe Him to be inside the bread and wine.

I repeat again to this House, do not let yourselves get excited in any personality. Do not imagine that there is any necessity for you to come in and controvert the Eucharistic doctrine, and give my colleague the opportunity of saying that he stood up and professed the Catholic faith of Christ before this Convention of the Protestant Episcopal Church, and was put down. Do not give him such a chance as that.

The PRESIDENT. The gentleman's time has expired.

The Rev. Dr. JACKSON of Connecticut. Mr. President and gentlemen, I propose to detain you but for a moment. I had the honor of introducing into this House a resolution, the purport of which was to say that we were not at present sufficiently informed to legislate distinctly and clearly, and proposing that we should take means to inform ourselves in due time, that is by the next General Convention, and then that we should pass such enactments as would stand examination, as would when we came to look back upon them, when they were criticised and scanned from every point of view, be invulnerable. I stand here now to say that still we are not sufficiently informed, notwithstanding all the eloquence of these debates, notwithstanding the light that has been flashing from various minds. I do not hesitate to say that I have been very much instructed by these debates. This has been a school where we have all learned, more or less. But I hold that at this late stage in the session, we are not prepared, I do not feel that I am prepared, to pass this Canon. It would require of me very patient inquiry, very thorough investigation on various points, before I could satisfy my conscience in passing the Canon.

Am I then in favor of Ritualism? Far from it. I, in my own sphere of action, have come in contact with it practically. Those who know me there know how earnestly I have resisted it. I am at the

head of an institution which is as broad as the Church. We have young men there representing every shade of opinion. We have Ritualists there. I have been called in God's providence to counsel, guide, and restrain them. My influence here, there, and everywhere, shall be thrown against extreme Ritualism—I mean such Ritualism as is bringing reproach upon the Church and imperilling her progress in various directions. That is my position.

Whilst I shall not be able to concur in this message which has been sent down from the House of Bishops, I trust I have every sentiment of reverence for that right reverend body. I always desire to bow to every decree of theirs, to obey every godly counsel of theirs. But they have sent this down to us as a co-ordinate body; they have sent it down to us for us to approve. If we approve it, it will become a Canon. If it does not, we have done no despite to that right reverend body. The Church can afford to wait. If we are not clear to legislate at the present time, it is better that she should wait. Meanwhile, as I said when I was on the floor on a previous occasion, let us mould public opinion and let us guide it.

Mr. BRUNE, of Maryland. Mr. President, I have not, as the gentlemen will bear witness, opened my mouth hitherto except upon a very simple matter; but I think this question has not been considered in the way that I desire to present it to this body. What is this measure that has been sent to us by our Right Reverend Fathers? I challenge any gentleman on this floor to say that he is more loyal than I claim to be toward that body and toward my own Bishop; but what is the measure proposed to be? A Canon—on what? A Canon blank,—not a Canon or ritual. Our Right Reverend Fathers would not—I was going to use the word dare—call this “a Canon on ritual.” Now what have we been asking them since the last General Convention, in which I did not open my mouth except upon a little matter of technicality which a lawyer would understand, and I am a lawyer. What did we ask them to do? What did the majority and minority of the Committee on Canons come in here and say? That legislation or action was required on the subject of ritual, and it was admitted in both those reports that there was defect as well as excess and that it should be acted upon by the Bishops, and you will remember that the Convention at last submitted it to the Bishops to pass a rubric or rubrics on the subject. Upon the motion of my own Bishop, I believe it was, they decided that rubrics were unnecessary, and they sent down word to that effect, but that Canons would be introduced, if necessary, bearing on this question and covering the whole ground; and I believe that I for one, whatever my private judgment might have been, would have voted for the adoption of those Canons if they had been sent to us by our Right Reverend Fathers. But instead of that there was a report from a Committee presenting these very matters—as far as I can

apprehend them from the reading, sitting at a very great distance as I do, agreeing to the very propositions now presented by their Committee and not sent down with approval in whole or in part to us at the outset. Instead of that it was proposed that we should agree with them to raise a Joint Committee to aid their deliberations. Now I, for one, although I did not say so, thought that that was paying us too high a compliment. The idea of five laymen going to assist the five Bishops in their deliberations upon this subject! It was asked of us to grant a Committee by means of which we were to deliberate with them and that Committee brought us in a Canon. What was that Canon? I thought again and again upon that Canon and the objections to it were so manifold and so strong that it was with the greatest difficulty I voted in favor of it; but I did vote in favor of it. Why? We had before us the recommendation of this Joint Committee composed of Bishops, presbyters, and laymen appointed to deal with the subject of ritual; and many amendments were moved. The things now treated of came up by the amendment of the most distinguished and venerable deputy from Connecticut, whom I delight to hear, and I am here to say that I do not think there is one of his propositions that I would not assent to as perfectly correct in itself; but it was determined by the House that this was special or class legislation and it was therefore voted down, and we were to vote directly upon the proposition of the House of Bishops. Now the substance of the amendment of the deputy from Connecticut comes to us in a Canon with a new name, and it is a question among the learned doctors whether it is not doctrine instead of ritual, and if it is doctrine it is covered by the articles in express terms and we need no provision. [Here the hammer fell.]

The Rev. Dr. LYMAN, of California. This is the first time I have risen to address this House on this very important and exciting question. I did not intend to say anything. I had hoped that whatever was agreed upon might be passed without any word being uttered by myself. I preferred to defer to those whom I thought better fitted to discuss these great questions, and I was willing to sit silent. But I now desire, before any vote is taken, to say a few words, only a few, because we are very much limited for time. I think this whole matter of ritualism is much better understood by this House now than it was when we began this discussion. It is very evident that we are all drawing that very broad distinction between that ritualism which is in accordance to this Church and that ritualism which is in opposition to the doctrine of this Church. In the Canon sent down by the House of Bishops there is an attempt to strike at that Ritual which is thought to be contradictory to the doctrine of this Church, and as tending to teach doctrines which are entirely at variance with the doctrines which have been received since the days of the Reformation. But there are many who object to the passage of this Canon because they think

it has come to us too late, that we are not prepared for any such action, and there are others again who object to it on the ground that it is too limited, and they would prefer something more general in its character.

I maintain that many of those who are here talking on this subject of ritual, are endeavoring to make impressions on this House that are not fair, in my opinion. I do not think that if this Canon were passed it inhibits any man in this House from holding the views and doctrines, and the principles, which have been declared by the reverend deputy from Wisconsin. I ask whether, if this Canon is passed, he is not able still, in entire accordance with the doctrine and principles of this Church to hold these views? But is a man because he holds those views, bound to bow himself before the cup or bread in the Holy Sacrament? He maintains that the views which he has been advocating in this House, are views which have been held by leading divines in the Church of England for two or three hundred years. I agree with him that it is so. But is it true that during this period these practices which are now introduced into the Church have been adopted and practised? Are they not new in the Church? And if their introduction is not necessary, and if men may hold those views without forcing these objectionable practices, why should they be thus pressed upon the Church? I am an advocate for the largest liberty. I believe our Church should be broad and most comprehensive; but I do deplore the attempt on the part of any one body of men holding any particular set of views, to force those views, as it were, before the eyes of all that may be present at their services, as if those were the only views that could be held or adopted. I object to it on this ground, but I feel that our time is so short, and that there is such an indisposition on the part of this House to take the action, that I am prepared to propose a substitute should this Canon not be carried, and I am not sure but that there are many in this House who might like to hear what this substitute is, and, if I may be allowed, I will read it, so that if they prefer this they may vote against the Canon. ["Read it."]

Resolved, That, while this Convention deems it inexpedient to make any additional enactments in the matter of ritual, it hereby expresses its decided condemnation of all ceremonies, observances, and practices which are fitted to express a doctrine foreign to that set forth in the authorized standards of this Church.

Resolved, That, in the judgment of this House, the paternal counsel and advice of our Right Reverend Fathers, the Bishops of the Church, is deemed sufficient at this time to secure the suppression of all that is irregular and unseemly, and to promote greater uniformity in conducting the public worship of the Church and in the administration of the Holy Eucharist.

The PRESIDENT. The time has arrived for taking the question on concurring in the Canon

communicated in the message of the House of Bishops.

The question being taken by dioceses and orders resulted as follows:

CLERICAL VOTE.

Ayes—Dioceses of Easton, Georgia, Kansas, Kentucky, Long Island, Louisiana, Massachusetts, Michigan, Missouri, Nebraska, Ohio, Pennsylvania, Pittsburgh, South Carolina, Vermont, Virginia, and Western New York—17.

Nays—Alabama, Albany, Arkansas, California, Central New York, Illinois, Indiana, Maine, Minnesota, Maryland, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Tennessee, Texas, and Wisconsin—18.

Divided—Connecticut, Delaware, Florida, and Rhode Island.

LAY VOTE.

Ayes—Dioceses of Arkansas, California, Delaware, Easton, Georgia, Kansas, Kentucky, Long Island, Louisiana, Ohio, Pennsylvania, Pittsburgh, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and Western New York—18.

Nays—Albany, Central New York, Florida, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Mississippi, New Jersey, and New York—12.

Divided—Connecticut, Missouri, and North Carolina—3.

The PRESIDENT. The Canon sent down by the House of Bishops fails for want of a concurrence of the Orders.

The Rev. Dr. LYMAN, of California. Now I offer the following resolution:

Resolved (the House of Bishops concurring), That this Convention hereby expresses its decided condemnation of all ceremonies, observances, and practices which are fitted to express a doctrine foreign to that set forth in the authorized standards of this Church.

Resolved, That in the judgment of this House the paternal counsel and advice of the Right Reverend Fathers, the Bishops of the Church, is deemed sufficient at this time to secure the suppression of all that is irregular and unseemly, and to promote greater uniformity in conducting the public worship of the Church, and in the administration of the Holy Sacraments.

I hope these resolutions may be unanimously adopted.

Mr. JUDD, of Illinois. I rise to second those resolutions.

The Rev. Dr. CADY, of New York. I go for them with all my heart.

The Rev. Mr. CLARKE, of Georgia. I move to amend the resolutions proposed by striking out all after the first resolving clause and inserting:

"That all rites, ceremonies, and usages which are practised at this time within the American Church, except such as involve, suggest, or teach erroneous doctrines in connection with the Lord's

Supper, are hereby declared lawful." ["No." "No."]

The PRESIDENT. The expression of the House is so decided that it seems unnecessary to put the question on that amendment.

The Rev. Dr. LEWIN, of Maryland. I hope the resolutions may be unanimously adopted.

The Rev. Dr. McNAMARA, of Nebraska. I think the vote on such resolutions should be taken by dioceses and Orders. ["No." "No."]

The Rev. Dr. HARE, of Pennsylvania. I call for a division of the question.

The PRESIDENT. Then the question will be taken on each resolution separately.

Each resolution was agreed to by an almost unanimous vote.

THANKS FOR COURTESIES, ETC.

The Rev. Dr. BABCOCK, of Massachusetts, submitted the following resolution, which was unanimously adopted.

Resolved, That the earnest thanks of this House be presented to the Bishop of this Diocese, resident in Baltimore; to the "Committee of Arrangements" for the excellent accommodations they have provided; to the Rector, Wardens, and Vestry of this Church for the use of the Church (Emmanuel); to the several societies who have extended to us the courtesies of invitation to their respective Institutions, and to the citizens of Baltimore for the generous hospitality and many acts of kindness they have offered to us during our prolonged session.

PLACE OF NEXT MEETING.

Mr. MASSIE, of Virginia. I call attention to the fact that no place has yet been fixed upon for the next meeting of the General Convention. I think it is time that were considered.

The Rev. Dr. HAIGHT, of New York. I am desired by the deputies from New York and Long Island to say that it will be very agreeable to us if the next meeting of the General Convention should be held in the city of New York.

Mr. WELSH, of Pennsylvania. I am authorized by the Pennsylvania delegation to say that it would be most agreeable to us to have the next Convention held in Philadelphia.

The Rev. Mr. SMITH, of New Jersey. I move that the next session of the General Convention be held in New York.

The Rev. Dr. MEAD, of Connecticut. The House of Bishops has already fixed upon New York.

The PRESIDENT. Then action had better be deferred until that message comes here.

Mr. CARTER, of Maryland. I am authorized by the Maryland delegation to say that as Maryland and Baltimore have rejoiced on this occasion to have been the place of the meeting of this General Convention, we extend to the General Convention to meet three years hence a cordial welcome and invitation to meet here again.

The Rev. Dr. LEEDS, of Maryland. It is the unanimous sentiment of the whole delegation.

MESSAGE FROM THE HOUSE OF BISHOPS.

A message (No. 73) was received from the House of Bishops announcing that that House had passed the following resolution:

Resolved, That the House of Bishops concurs the amendment to Section 5, of Canon 13, of Title I., proposed to it in message No. 69, from the House of Clerical and Lay Deputies, but does not concur in the resolution appended to said proposed amendments, to wit:

"*Resolved*, That the consent of the General Convention, recognized in the foregoing amendment of Canon, and the consent of the Bishops and Standing Committees, should be required by a majority of two thirds."

The Rev. Mr. ROGERS, of Texas. I move concurrence in that message.

The motion was agreed to.

A message (No. 74) was received from the House of Bishops announcing that that House concurred in message No. 78 from the House of Clerical and Lay Deputies relating to unauthorized changes in the Prayer Book, that it receded from its action on the fourth resolution of the Joint Committee touching a copyright on the French Prayer Book, and thus concurred in message No. 68, from the House of Clerical and Lay Deputies.

A message (No. 75) was received from the House of Bishops announcing that that House had adopted the resolution appended to the report of the Joint Commission on Church Archives, herewith communicated, viz.:

Resolved (the House of Clerical and Lay Deputies concurring), That, as every day is adding to the value and extent of the manuscripts and other collections of Church documents, under the control of the Commission on Church Archives, authority be conferred on this Commission to provide, in some central place, a suitable place of deposit for these manuscripts and papers, where, under proper restrictions, they can be consulted by all who would acquaint themselves with the ecclesiastical data.

On motion of the Rev. Dr. Perry, of Western New York, the resolution was concurred in.

ASSISTANT BISHOPS FOR TEXAS AND CALIFORNIA.

The Rev. Dr. ROGERS, of Texas. Mr. President, I have once read to the House the memorial of the Diocese of Texas to be allowed to proceed to the election of an Assistant Bishop. I move the adoption of the following resolution:

Resolved (the House of Bishops concurring), That the prayer of the memorial of the Diocese of Texas, asking the consent of the General Convention for the election of an Assistant Bishop therefor, be, and is hereby, granted according to the terms of said memorial; and that this Convention does hereby consent to such election, as provided for in Section V., Canon 13, Title I., of the Digest.

The resolution was agreed to.

The Rev. Dr. LYMAN, of California. I offer a similar resolution in regard to California, in the

same words, simply changing the word "Texas" to "California."

The resolution was agreed to.

FINAL ADJOURNMENT,

Mr. RACE, of Louisiana. I move that this House concur in the message of the House of Bishops fixing half-past ten to-night as the hour of adjournment *sine die*.

The PRESIDENT. The Secretaries say that it is simply impossible to get through by that time.

The Rev. Dr. MEAD, of Connecticut. Then I move to amend the proposition by fixing the time at 12 o'clock to-night.

The amendment was agreed to, there being, on a division, ayes 124; nays 33; and the message was concurred in with this amendment.

MESSAGES FROM THE HOUSE OF BISHOPS.

A message (No. 76) was received from the House of Bishops announcing the passage, by that House, of the following resolutions:

Resolved, That this House non-concurs in message No. 65 from the House of Clerical and Lay Deputies, for the reason assigned for the non-concurrence of this House with message No. 56, in declining to appoint the joint committee therein asked for.

Resolved, That this House concurs in the proposed amendment to Section III of Canon 5 of Title III., "Of Foreign Churches," communicated to it in message No. 74 from the House of Clerical and Lay Deputies.

PLACE OF NEXT MEETING.

A message (No. 77) was received from the House of Bishops announcing that that House had passed the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That the place of the meeting of the next Triennial General Convention be the city of New York.

The Rev. Dr. HAIGHT, of New York. I move that we concur in that resolution.

The motion was agreed to.

On motion of the Rev. Dr. Cady, of New York, the House took a recess until 7 o'clock P.M.

EVENING SESSION.

The House resumed its session at 7 o'clock P.M. when it was called to order by the Rev. Dr. Van Deusen, of Central New York, acting as President *pro tem*.

LAW OF RITUAL.

Mr. CHURCHILL, of Kentucky. I offer the following resolution;

Resolved (the House of Bishops concurring), That a committee of three Bishops, three presbyters, and three laymen be appointed to consider and report to the next General Convention what is the law of ritual in this Church, and what legislation, if any, is necessary for the due enforcement of the same.

The Rev. Dr. HARE, of Pennsylvania. I beg leave to second that resolution.

The Rev. Dr. HANSON, of Alabama. I should

be glad if the gentleman who offered the resolution would tell us exactly the kind of information which he expects to obtain by it. I am in favor of something of the kind; but I should like to have it explained.

Mr. CHURCHILL, of Kentucky. I will explain the resolution. I myself voted with those who opposed the report that was presented to us by the Joint Committee. That Committee were not all agreed upon that line of action. We had two or three propositions before us, and I think that the Convention, on account of the late time at which the matter was presented, were distracted by the various projects that were laid before them, and I think that in preparing anything on this subject the three Orders should be represented, and, therefore, I merely propose that three of the Bishops, three of the clergy, and three of the laity be appointed to report upon the subject of ritual to the next General Convention. It can possibly do no harm; it may result in great good to the Church. I should like very much to see the resolution pass. If I believed it would be productive of the slightest evil, if I thought there would be any serious objection to it, I would not press it at this late hour; but I think gentlemen will see that it cannot possibly result in harm, and it may be productive of great good. I take it for granted the Committee will consider the subject dispassionately and maturely, and I am in hopes great good may result. That is all I have to say.

The Rev. Mr. GREGG, of Illinois. I move that this resolution be made the order for half-past 8 o'clock. We are not certainly now in a condition to consider any question of this kind, relating as it does to a subject which has provoked so much discussion. This is a very thin House, and I think it is due to absentees that we wait and give them an opportunity to hear this resolution and to engage in the discussion of it, if they so desire.

The Rev. Dr. HAIGHT, of New York. Why not let it lie on the table, to be taken up at any time this evening?

Mr. CHURCHILL, of Kentucky. I move that it be made the order at 8 o'clock.

The Rev. Mr. CROSDALE, of Easton. I move that it be laid on the table for the present. Then it can be called up at any time.

The motion to lay on the table was agreed to.

COMMITTEE ON CANONS.

The Rev. Dr. Haight, of New York, presented the following report:

The Committee on Canons being charged by Canon 2 of Title IV., with the duty of appointing at the close of the session two of their number to certify the changes made in the Canons and report the same, with the proper arrangement thereof, to the Secretary (acting in connection with two of the Committee on Canons of the House of Bishops, to be appointed by such committee), respectfully report that they have appointed for the above named purpose, the Rev. Dr. Haight, of New York, and the Rev. Dr. Paddock, of Long Island, and recommend the adoption of the following resolution:

Resolved, That information of the appointment by the Committee on Canons of this House of Rev. Drs. Haight and Paddock to certify the changes

made in the Canons at the present session, be sent to the House of Bishops.

The resolution was agreed to.

The Rev. Dr. BABCOCK, of Central New York, offered the following resolution, which was agreed to:

Resolved, That the Secretary of this House, acting with the Joint Committee appointed to certify the changes made in the Constitution and Canons, cause the said certification to be printed and forwarded to each of the members of this Convention and to the several Church papers for publication immediately after adjournment.

WITHDRAWAL OF PAPERS.

The Rev. Mr. Gregg, of Illinois, on behalf of the delegation from the Diocese of Illinois, asked and obtained leave to withdraw the papers presented this morning as to the proposed division of that diocese.

"THE CHURCHMAN" REPORTS.

The Rev. Dr. HAIGHT, of New York. I offer a resolution that I think will occasion no debate:

Resolved, That the Secretary be directed to procure from Messrs. Mallory & Co. copies of the bound volume of the debates of this House sufficient to place ten in the archives of the Convention, to send one to each Bishop of the Church, one to the Standing Committee of each Diocese, one to the library of each Theological Seminary of the Church, one to the Bishop of Lichfield, one to the Bishop of Nassau, and one to the Dean of Chester.

The House are perfectly well aware of the great value of this report and, as time rolls on, the volume will become still more valuable as a book of reference. This proposition is that a sufficient number of copies be purchased by the Secretary to place ten in the archives and to send one to each Bishop, one to each Standing Committee, one to each Theological Seminary, and one to each of the distinguished visitors from England.

Mr. STEVENSON, of Kentucky. I desire to offer an amendment, which I hope my friend will accept in the form of an additional resolution:

Resolved, That the thanks of this House be tendered to Messrs. M. H. Mallory & Co. for their very accurate report of the daily proceedings of this House, and that they be requested to make arrangements for similar reports at the next session of this body.

I not only concur in what the venerable deputy from New York has said, but I regard it as exceedingly important that this Church should have a correct and authentic history of the debates of this body, the great Council of the American Church which meets in every three years.

The Rev. Dr. HAIGHT, of New York. I think my friend had better offer his resolution first, and I will offer mine afterward. I think that would be the natural order. I second his resolution with all my heart.

Mr. STEVENSON, of Kentucky. Very well. I offer my resolution as I have read it.

The resolution of Mr. Stevenson and that of the Rev. Dr. Haight were each agreed to unanimously.

LAW OF RITUAL.

Mr. CHURCHILL, of Kentucky. I move to

take up the resolution which I submitted a short time ago.

The resolution was read as follows:

Resolved (the House of Bishops concurring), That a committee of three Bishops, three presbyters and three laymen be appointed, to consider and report to the next General Convention what is the law of Ritual in this Church, and what legislation, if any, is necessary for the due enforcement of the same.

The Rev. Dr. BURGESS, of Massachusetts. I offer the following amendment as an additional resolution:

Resolved, That until this report be received and acted upon, or other action be taken by the Convention, in all matters of doubtful Ritual, reference should be made to the Ordinary and his counsel should be respected.

This is very much the repetition of a resolution which was passed at the last Convention. We have no resolution now, referring matters of Ritual at all to the Ordinary. We have a general resolution which was passed this morning saying that the counsel of the Bishops should be sufficient to correct the whole matter; but we have not a resolution referring the matter definitely and in a legal manner to them. Hence, I present this amendment in the form of a resolution, that until the report provided for in the former resolution be received and acted on, or other action be taken by the Convention in all matters of doubtful Ritual, reference should be made to the Ordinary and his counsel should be respected. It will be remembered by the Convention that the resolution to this effect which was passed at the last Convention, and which is believed to have been extremely good in its effects, expires with this Convention. Hence it should be renewed at this Convention unless something substantially the same has been presented.

Mr. CARTER, of Maryland. I raise a point of order on both these resolutions, that they cannot now be received in this House. Under an order passed by us, no new business was allowed to be introduced after last Monday. I respectfully object to the reception of these resolutions under that rule.

The PRESIDENT. I think they are out of order.

The Rev. Dr. BURGESS, of Massachusetts. It strikes me that this resolution, with the resolution by the deputy from Kentucky, is no more out of order than the resolution which we passed this morning. They are simply a continuation of the business which we were engaged in this morning. The gentleman from Kentucky moves now a resolution providing for a committee substantially as did the resolution which was presented by the Rev. Dr. Jackson, and which was voted upon formally, and it merely carries on the same subject that we had up this morning. I do not conceive that it can be called new matter, but I shall bow willingly to whatever decision may be made.

Mr. CARTER, of Maryland. We had no objection this morning.

The PRESIDENT. The Chair is prepared to decide the point.

Mr. CARTER, of Maryland. Very well.

The PRESIDENT. The matter is *res adjudicata*. It has been disposed of certainly after full deliberation, and the resolution from the gentleman from Connecticut has been voted down. We adjourned or took a recess this morning, with this whole question at an end; and now, to introduce it under any other form, is new matter, as I decide. An appeal can be taken, of course.

Mr. CHURCHILL, of Kentucky. With all due deference to the Chair, I differ with him, from the fact that this is no new business to come before the Convention under the rules. ["Order," "Order."]

The PRESIDENT. It is not an amendment of anything before the House. The whole subject has passed from the jurisdiction of this House.

Mr. CHURCHILL, of Kentucky. I take an appeal from the decision of the Chair.

The Rev. Dr. DEKOVEN, of Wisconsin. The appeal is debatable, is it not?

The PRESIDENT. Certainly.

Mr. CHURCHILL, of Kentucky. Under that ruling you could not even introduce a resolution here returning thanks to the President who has presided over this Convention and to the officers of the Convention.

The PRESIDENT. That is not a matter of legislation.

Mr. CARTER, of Maryland. If anybody objected to it, you could not introduce it, being new business.

Mr. CHURCHILL, of Kentucky. The Chairman would be compelled to decide it out of order.

Mr. CARTER, of Maryland. Certainly, if anybody objected.

Mr. CHURCHILL, of Kentucky. My resolution, before you came in, Mr. President, had been received and laid on the table, and it had been, by a vote of the House, taken up, so that that question had been passed upon before you took the Chair. It had been received by this House and laid upon the table by this House to be taken up. I submit that the resolution is before us.

The PRESIDENT. Then the objection was made that the whole matter was out of order, and I sustained the objection. An appeal has been taken. The House can now determine.

Mr. CHURCHILL, of Kentucky. It has been received and some action taken upon it. Therefore I do appeal in the matter from the decision of the Chair.

Mr. RACE, of Louisiana. One word upon the subject of the appeal. I suggest to my friend from Kentucky that the Chair's decision is evidently correct under the order of the House. The House passed an order that it would receive no new business after a certain time. That time has passed. Now, an appeal from the decision of the Chair is not the way to remedy this, because the decision of the Chair is correct; but there is a remedy, and that remedy is to move to suspend that rule inhibiting new business, for the purpose of introducing this particular business, and if the House consents to that, it is done parliamentarily.

The PRESIDENT. The question is on the appeal from the decision of the Chair. Shall the decision of the Chair stand as the judgment of the House?

The Rev. Dr. DALZELL, of Louisiana. Allow me to understand this. Before you, sir, resumed the Chair this evening, the venerable deputy from Kentucky offered a resolution to the effect that a Joint Committee be appointed. That resolution was received and laid on the table, to be taken up at eight o'clock.

Mr. CARTER, of Maryland. No, sir; it did not say at any time. It was laid on the table.

The Rev. Mr. HANSON, of Alabama. The Chair decided that it was laid on the table to be taken up at any time this Convention might think proper.

The Rev. Dr. DALZELL, of Louisiana. The clerical deputy from Massachusetts then introduced another resolution, as I understand. Is your decision concerning both those resolutions, or concerning only the resolution introduced by the clerical delegate from Massachusetts? Which is it? ["Both!" "Both!"]

The PRESIDENT. The whole matter.

Mr. CHURCHILL, of Kentucky. The appeal is taken simply on my resolution, because that was already received.

The PRESIDENT. Shall the decision of the Chair stand as the sense of the House?

The decision of the Chair was sustained.

Mr. KING, of Long Island. Now, I move to suspend the rule, for the purpose of receiving that resolution.

Mr. CARTER, of Maryland. That requires two thirds, and, if it is insisted upon, I shall ask for a vote by dioceses and Orders.

Mr. KING, of Long Island. You cannot stop me in that way.

Mr. CARTER, of Maryland. I withdraw the call for a vote by dioceses and Orders; but the motion requires two thirds. At any rate, it is a debatable question, and I should like to know whether, after having had this thing, by an almost unanimous vote, considered as settled this morning, at the last hours of our Convention, after we thought we had agreed to go home in peace, with the whole thing settled, this entire matter is to be brought into discussion here again this evening. I hope the House will vote down the motion to suspend almost unanimously.

The Rev. Dr. HANSON, of Alabama. I think this proposition is entirely misapprehended. This is not a resolution which is intended to produce strife and contention. It is a mere resolution of inquiry; it is, that a committee be appointed for the purpose of ascertaining what the ritual law of the Church is, and then whether or not any additional legislation is necessary, and to report to the next Convention. I do not see any objection to it. I wish very much that it could be passed. I want to know what the ritual of the Church is; I do not know. I have heard a great deal about it, but I should like to have an authoritative report upon the subject. I hope the Convention will pass the resolution without any discussion.

Mr. KING, of Long Island. I withdraw my motion to suspend, and I move to rescind the order already made as to new business, which requires only a majority.

The PRESIDENT. I will say in reference to the remarks of the gentleman from Alabama that, per-

sonally, I should have no sort of objection to the resolution, but it seemed to me to be a difficulty thrown in our way in the last hours of the session, when the business was supposed to be completed.

Mr. KING, of Long Island. I withdraw my motion.

NOTIFICATION TO THE BISHOPS.

On motion of the Rev. Dr. Cady, of New York, it was ordered that notification be sent to the House of Bishops that this House will be ready to receive them as soon after 9 o'clock this evening, as will suit their convenience.

The Rev. Dr. Burgess of Massachusetts suggested that it was usual to send such a message by a committee of the body; and the Rev. Dr. Burgess of Massachusetts, and Mr. Huntington of Connecticut were appointed the committee.

DISSOLUTION OF A PASTORAL CONNECTION.

The Rev. Dr. Haight of New York, from the Committee on Canons, to whom was referred message No. 69 from the House of Bishops, proposing certain amendments to the Canon passed by the House of Deputies, "Of differences between ministers and their congregations, and of the dissolution of a pastoral connection," reported the following resolution:

Resolved, That this House concurs with the House of Bishops in the amendments proposed by them to the Canon "Of differences between ministers and their congregations," etc., communicated to the House in message No. 69.

The Rev. Dr. CADY, of New York. What are the amendments?

Mr. WELSH, of Pennsylvania. Let the Canon be read as it will stand when amended.

The Rev. Dr. HAIGHT, of New York. That will be done by the gentleman from Long Island who has the papers.

The Rev. Dr. PADDOCK, of Long Island. The Canon when amended as proposed will read as follows:

CANON IV.

Of Differences Between Ministers and their Congregations, and of the Dissolution of a Pastoral Connection.

§ I. In case of a controversy between any Rector or Assistant Minister of any Church or Parish and the vestry or congregation of such Church or Parish which cannot be settled by themselves, the parties, or either of them, may make application to the Bishop of the diocese, who shall thereupon notify each of the contesting parties to furnish him with the names of three presbyters of the diocese. The Bishop shall add to them the names of three other presbyters, and the whole number shall then be reduced to five by striking off the names alternately by each of the contesting parties. *Provided*, That the party or parties applying as above shall first give the Bishop satisfactory assurance of compliance with whatever may be required of them as the final issue of such proceedings. Should either party refuse or neglect to name three presbyters or to strike from the list as aforesaid, the Bishop shall act for the parties so refusing or neglecting. And in all the proceedings aforesaid the vestry or congregation, as the case may be, shall be represented by some layman of their number duly selected by them for the purpose.

§ II. The five presbyters thus designated shall constitute a Board of Reference to consider such contro-

versy, and if after hearing such allegations and proofs as the parties may submit, a majority of the presbyters shall be of opinion that there is no hope of a favorable termination of such controversy, and that a dissolution of the connection between such Rector or Assistant Minister and his parish or congregation is necessary to restore the peace of the Church, and promote its prosperity, such presbyters shall recommend to the Bishop that such minister shall be required to relinquish his connection with that church or parish, on such conditions as may appear to them proper and reasonable.

§ III. If any Rector or Assistant Minister shall refuse to comply with the recommendation of the Bishop and presbyters, the Bishop shall proceed to forbid him the exercise of any ministerial functions within the diocese until he shall retract his refusal, or if the vestry or congregation shall refuse to comply with any such recommendation, they shall not be allowed representation in the Diocesan Convention until they shall have retracted their refusal.

§ IV. When there is no Bishop, the President of the Standing Committee of the diocese shall perform all the duties herein allotted to the Bishop: *provided* that he shall not exercise any power under the preceding third section without the aid and consent of some Bishop of this Church.

§ V. The preceding sections of this Canon shall not be obligatory upon any diocese which has made, or shall hereafter make, provision by Canon, upon this subject.

§ VI. In case a minister, who has been regularly instituted and settled in a parish or church, be dismissed by such parish or church without the concurrence of the Ecclesiastical Authority of the diocese, the vestry or congregation of such parish or church shall have no right to a representation in the Convention of the Diocese until they have made such satisfaction as the Convention may require. But the minister thus dismissed shall retain his right to a seat in the Convention, subject to the approval of the Ecclesiastical Authority of the diocese. And no minister shall leave his congregation against their will, without the concurrence of the Ecclesiastical Authority aforesaid; and if he shall leave them without such concurrence, he shall not be allowed to take his seat in any Convention of this Church, or be eligible into any church or parish until he shall have made such satisfaction as the Ecclesiastical Authority of the diocese may require; but the vestry or congregation of such parish or church shall not be thereby deprived of its right to a representation in the Convention of the diocese.

§ VII. In case of the regular and canonical dissolution of the connection between a minister and his congregation, the Bishop, or if there be no Bishop, the Standing Committee, shall direct the Secretary of the Convention to record the same. But if the dissolution of the connection between a minister and his congregation be not regular or canonical, the Bishop or Standing Committee shall lay the same before the Convention of the diocese, in order that the above-mentioned penalties may take effect.

§ VIII. This Canon shall not be obligatory in those dioceses with whose Canon laws or charter it may interfere.

The Rev. Dr. GOODWIN, of Pennsylvania. I wish to make one inquiry. If I understand aright the reading, it is assumed near the beginning of the Canon that in connection with constituting this Court and before it proceeds to act, the minister and vestry shall

both pledge themselves to abide by the decision of the Court. It is afterward provided that if they refuse to submit to its decision, they shall be punished; but I see no provision for the case, supposable, that either party of them should decline to give this pledge. In that case, would the whole proceeding fail?

The Rev. Dr. HAIGHT, of New York. Undoubtedly, under the Canon now.

The Rev. Dr. GOODMAN, of Pennsylvania. I wish that part of the Canon referred to.

The Rev. Dr. HARE, of Pennsylvania. I think it is very important. I understood the language to be "the party or parties."

The Rev. Dr. SCHENCK, of Long Island. I should like to call attention of the presbyters of this body to the last clause of Section VI., which provides that no minister can resign his position as rector in any parish and leave that parish, without the consent of the Bishop of the diocese. This is the introduction of a very radical change in the order of things as we have it in our Church, and one that I think ought to be very fully considered by this body before it passes upon it. I, for one, am utterly opposed to that clause. I think it ignores the true position of the rector, who is supposed to accept a call to the charge of a congregation under the guidance of the Holy Spirit, and whose relations to that congregation are supposed to be purely a matter of conscience between him and them, and a matter between himself and his God. What his duty in such a matter requires, I think nobody in this world can judge of but himself. When the time comes that he is invited to another field of labor, I do not think that the Bishop ought to be his conscience-keeper in that particular issue. I think it hedges in the liberty of a minister in this Church to a degree that is utterly inconsistent with the idea of the Christian pastorate. And as I have heard no reasons advanced for this very radical change in the relationship of pastor and people in our Church, as it proposes a change which seems itself to have so many important co-relations, I do not think we are prepared, unless we have very excellent reasons given for this radical change, to vote for it. I, for one, am totally opposed to it. It would make me feel at all times that my ministry was being conducted not under the guidance of the Holy Spirit as the illuminating power of my conscience, but under the direction of my Bishop. I think that, especially in a large diocese, or whether it be large or small, he must labor under an inability to enter into the circumstances of each parish minister's position so as to decide the question when it comes up, whether he might be called of God to the discharge of his ministry in another congregation.

The Rev. Dr. PADDOCK, of Long Island. Let me say to my brother from Long Island that the passage to which he specially objects, is one which I have read from printed matter, cut out from the old Canons, and is not in the slightest degree a new feature. I cannot say how old it is, but I am quite sure it dates back several General Conventions.

The Rev. Dr. SCHENCK, of Long Island. Do I understand my colleague to say that the present Canon in force, touching the relation of pastor and people, contains the words that are in the last clause of this Section VI.?

The Rev. Dr. PADDOCK, of Long Island. I will read Section VI.

The Rev. Dr. SCHENCK, of Long Island. My

colleague will bear in mind that notice has to be given in case of a dissolution, but that the consent of the Ordinary is not involved.

The Rev. Dr. GOODWIN, of Pennsylvania. It is in the present Canon, in the very words now reported.

The Rev. Dr. SCHENCK, of Long Island. Will the gentleman give me a reference to it.

The Rev. Dr. GOODWIN, of Pennsylvania. Page 74 of the Digest.

The Rev. Dr. PADDOCK, of Long Island. I ask my colleague to open his book of Canons, and follow me as I read this Section as it is printed here. I read it before entirely from printed matter, and I will read it again and he can observe whether there be any differences between it and the Section of the Canon as printed in the book.

The Rev. Dr. HARE, of Pennsylvania. It is forty years old at least.

The Rev. Dr. PADDOCK, of Long Island. My memory runneth hardly back further than that. I read:

"In case a minister who has been regularly instituted or settled in a parish or church, be dismissed by such parish or church without the concurrence of the Ecclesiastical Authority of the diocese, the vestry or congregation of such parish or church shall have no right to a representation in the Convention of the diocese, until they have made such satisfaction as the Convention may require; but the minister thus dismissed shall retain his right to a seat in the Convention, subject to the approval of the Ecclesiastical Authority of the diocese. And no minister shall leave his congregation against their will, without the concurrence of the Ecclesiastical Authority aforesaid; and if he shall leave them without such concurrence, he shall not be allowed to take his seat in any Convention of this Church, or be eligible into any church or parish, until he shall have made such satisfaction as the Ecclesiastical Authority of the diocese may require; but the vestry or congregation of such parish or church shall not be thereby deprived of its right to a representation in the Convention of the Diocese."

Mr. WELSH, of Pennsylvania. It is word for word.

The Rev. Dr. SCHENCK, of Long Island. I do not question that it is; but it is about the best illustration I can give of a remark I made in the little address I had the honor to offer yesterday morning as to our ignorance of the Canons. I can only say, that in a ministry of thirty years, I have never heard of this Canon being put in force, I have never heard of the question being raised, though I knew of notice being given. I confess very frankly that I was wrong and that my attention was never specifically called to the letter of the Canon as at this time; but I appeal to this whole Convention, if they have ever known a practical question to be raised between pastor and people at any time in the history of the Church. I never heard of it in my life before.

The Rev. Dr. HARE, of Pennsylvania. I can answer that question. Forty years ago in the case of the Rev. Dr. Jarvis, as connected with St. Paul's Church, Boston, a controversy arose between him and the congregation of such a nature that it could not be settled between the parties, and the Bishop of the Eastern diocese convened the presbyters of the diocese so far as they could be convened, and they declared that on the payment of a certain sum of money, I think it was \$5,000, Dr. Jarvis, under this Canon,

should relinquish his connection with that church in Boston. This occurred at least forty years ago.

Mr. WELSH, of Pennsylvania. I remember twenty-five or thirty years ago another case of the same kind.

The Rev. Dr. GOODWIN, of Pennsylvania. I should like to know if the Canon is corrected in the point to which I before called attention, as to the pledge to be given before the Court is constituted, and whether if that pledge were not given the Court could not be constituted so that all proceedings should be quashed.

The Rev. Dr. PADDOCK, of Long Island. I understand that if the parties will not agree to abide by the decision which may be rendered, the matter cannot be forced before such a committee.

The Rev. Dr. HARE, of Pennsylvania. Please read that part of the Canon.

The Rev. Dr. PADDOCK, of Long Island. The proviso is: "*Provided, That the party or parties applying as above, shall have first given the Bishop satisfactory assurance of compliance with whatever may be required of them as the final issue of such proceedings.*"

Mr. WELSH, of Pennsylvania. Then a factious party cannot deprive the other party of the right. The party applying must give the assurance, the other need not.

The Rev. Mr. HANCKEL, of Virginia. I ask whether the provisions of that Canon are to apply to dioceses where the Office of Institution is not used, where the clergyman has not been instituted.

The Rev. Dr. PADDOCK, of Long Island. I suppose they would necessarily apply, because I know the principle is stated in that way by Judge Hoffman.

The Rev. Dr. HAIGHT, of New York. The Canon says, "instituted or settled," and does not apply in dioceses where it interferes at all with their own Canons.

The PRESIDENT. The question is on concurring in the amendments of the House of Bishops.

The amendments were concurred in.

CLOSING SERVICES.

The Rev. Dr. BURGESS, of Massachusetts. The Committee appointed to wait on the House of Bishops and inform them that the House of Clerical and Lay Deputies would be ready to receive them at 9 o'clock this evening, or as soon thereafter as may be convenient to the House of Bishops, and to listen to the Pastoral Letter, have discharged their duty, and a communication will be sent by the proper officer of the House of Bishops on the subject.

A message (No. 78) was received from the House of Bishops, announcing its concurrence in Message No. 81, from the House of Clerical and Lay Deputies, relating to the drafts of letters to the Diocesans of Litchfield and Chester, also in Messages Nos. 83 and 84, from the House of Deputies, relating respectively to the Dioceses of Texas and California; also, in Message No. 85, fixing 12 o'clock this night as the hour of adjournment; and, also, notifying the House of Deputies that the House of Bishops will be prepared to meet them for the purpose of reading the Pastoral Letter at ten o'clock this evening.

RESTORATION TO THE MINISTRY.

The Rev. Dr. VINTON, of Massachusetts. There lies on the table a report from the Committee on Canons, on the subject of the restoration of deposed ministers, which I introduced to the Convention the other

day, but all further proceedings on which were then stopped by the order of the day. I think it would be well enough to put the Canon on its passage, or put it to death now.

Mr. CARTER, of Maryland. Will the Rev. Deputy from Massachusetts allow me to ask him whether that Canon has yet been printed in *THE CHURCHMAN* or anywhere else?

The Rev. Dr. VINTON, of Massachusetts. I do not know; I supposed it would be. I will state, however, the general purpose of the Canon.

My colleague (Rev. Dr. Burgess) introduced a resolution referring it the Committee on Canons to consider the propriety of providing for the restoration of a certain class of deposed ministers as well as for another class who were already provided for, on the principle that it seemed right and proper to give equal treatment to cases which were essentially alike. There is a Canon standing on the book "*On the abandonment of the Communion of this Church by a Presbyter or Deacon;*" and provision is made in cases of such abandonment for the restoration of a person under certain conditions. There is another Canon "*On the deposition of ministers*" for any cause and there is no provision made for the restoration of such a minister. So that as it now stands on our books, a man who shall not only have renounced the ministry but actually abandoned the Communion of the Church and gone anywhere, if he shall come back after a while and make satisfaction of a certain sort, namely, if three years he has abided a communicant of this Church before he make his application, he may then, on evidence satisfactory to certain authorities, be received back and restored to the ministry.

That Canon has been acted upon in one very notable instance. Now, it seems to some, and it seemed to the Committee on Canons, that if the Church may restore to her ministry a person who has actually not only renounced that ministry, but abandoned her Communion for some other or perhaps none other, it would be no more than fair to give the same favorable treatment to others who may have renounced their ministry, or been deposed, or what not for other reasons, never, perhaps, having left the Communion of the Church, but who simply, under any mood or under some fitful sentence, may have been deposed from the ministry. If the Convention are satisfied with the principle of that thing, I think they will have no reason to be dissatisfied with the details which are described in the Canon, as I shall now read it.

Resolved (the House of Bishops concurring), That the subjoined Canon be enacted as follows:

CANON — *Of Restoration to the Ministry.*

§ I. If any minister of this Church, having renounced the ministry, or having been deposed under the provisions of Canon 5, Title II., or having been deposed on presentment and trial for any canonical offence"—this clause is entirely new—"and having submitted to such deposition,"—that is an important clause—"shall desire restoration to the ministry of this Church, he may address a memorial to the Bishop of the Church of the diocese in which he resides, expressing his desire, and promising conformity to the doctrine, discipline, and worship of this Church; whereupon the Bishop to whom such memorial shall be addressed (together with two Bishops to be selected by him by lot, for that purpose, from the six nearest Bishops), and by and with the advice and consent of the Standing Committee of the diocese, shall fully investigate all the facts connected with the case of the

memorialist; and the Bishop shall have power, with the approbation of one or both of the Bishops assisting him in the case, and by and with the advice and consent of the aforementioned Standing Committee, to restore the memorialist to the ministry of this Church, if he and they are satisfied that such restoration will be to the glory of God and the edifying of the Church."

You will observe that this Canon is Canon 5, referring to those who have renounced the ministry, and those who have been deposed from the ministry for canonical offences. Now comes Section II., which is Canon 6 of the present Canons.

"§ II. If any minister of this Church, having abandoned the communion of this Church, and having been deposed from the ministry for any cause, except crime or immorality, under the provisions of any Canon, shall desire restoration, he may address a memorial to the Bishop of the Church in the diocese wherein he resides, in which memorial he shall express such his desire, accompanied by a statement that he has abandoned the ministry or communion of any other Church or Society to which he may have attached himself, from an honest conviction of the errors in doctrine or discipline of such Church or Society, and also all doctrine, discipline, and worship inconsistent with those of the Protestant Episcopal Church in the United States; and that for the space of three years immediately preceding his memorial, he has been living in lay communion with the Protestant Episcopal Church, to whose ministry he now asks restoration; whereupon, the Bishop to whom such memorial shall be addressed may proceed in the manner provided in the first section of this Canon, and, with the advice and consent therein provided, may restore the memorialist to the ministry."

Resolved (the House of Bishops concurring), That the second proviso in Section II. of Canon 6 of Title II., be, and the same is, hereby repealed.

This Canon is Canon 6 of the Book of Canons, and is drawn with the other one in order to make one Canon of both. The subject of the whole Canon is the restoration of deposed ministers; the first section of the Canon for the restoration of those who have been deposed under sentence or from a voluntary renunciation of the ministry; the second section for the restoration of those who have abandoned the communion of the Church. The mode of getting back, the inquest to which they must submit, is the same in both cases. It is this: when application is made to the Bishop of the diocese in which he resides for restoration, that Bishop takes the names of six Bishops in adjacent dioceses, and, by lot, chooses two of them. They are to investigate the subject with the Standing Committee of the diocese; and after all they have a large discretion. No matter what the evidence may be, be it ever so favorable, if they are satisfied that the restoration of the memorialist would not be for the glory of God and the edifying of His Church, they still have it in their power to deny the memorial.

This is the substance of the Canon and the alterations I have tried to make plain to you. The simple question is as to the principle.

The Rev. Dr. BURGESS, of Massachusetts. The Committee have reported on but one of the points which were introduced. They were requested to consider, first, whether it be desirable to restore the ancient usage of the Church that no minister deposed from the ministry should ever return to the ministry again, but if they thought that not desirable, then to

take such action as they have taken. The result of it has been, of course, practically, that they rejected the first part and have taken up the second part. For my own part I would have desired that the first point should have been favorably reported to us, and that the Committee should have reported a restoration of the rule which we had in the Church before the year 1862.

I can remember that in the Convention of the year of 1844 when it was feared that on account of doctrinal difficulties which had entered into the minds of some of our clergy, a number of the clergy might slide away from the Church, this subject was talked of. The Convention will remember that before that time the provision of the Canon had been distinctly "no deposed minister shall ever be restored to the ministry." But very little was said in that year on the subject, but continually from Convention to Convention it was more or less spoken of, until in 1856 a resolution was introduced and a canon reported allowing restoration in some instances, in the case spoken of in the Canons; but the resolution was voted down I think in both Houses that year. At the next Convention that Canon was passed in the House of Deputies, but was refused in the House of Bishops. In the year 1862 it was again passed in the House of Deputies very much in the form in which it now appears in the Book of Canons, and the House of Bishops then again refused it; but the House of Deputies, having asked for a Committee of Conference, that Committee reported the form which now appears in the Book of Canons. and it was passed through both Houses.

It had then somewhat the aspect of special legislation, and as my colleague has said, it was used in one notable case for the restoration of a clergyman who had abandoned the the communion of our Church to the ministry again. It was used also in another notable case, to which he did not refer, and the contrast between those two cases is very great; one of them being to a good issue and to the glory of God and the edifying of the Church, as I have every reason to believe, while the other is very doubtful as to its issues and as to the good which has resulted from it to the Church. I do not know of any other instances in which this Canon has ever been used. Both these instances were probably in the year 1862, or very shortly after that year.

I should like this Convention to decide at the present time to return to the old principle of the Church, which is a principle of very great antiquity. I know that members of this Convention can point me to Maximus, the celebrated confessor, who was restored to the ministry after having gone over to the Novatians; but I can point them to the decision of Cornelius, Bishop of Rome at that time, that his restoration should be because he had done so great good to the Church, and had been so noble a confessor, and because he was bringing back with him a great multitude of those who believed with him in his error. And the Council of Nice may be mentioned as restoring the Novatians under the same circumstances, in order, if possible, to break up what seemed likely to be an inveterate schism. And the same may be said of the fathers in Africa, who restored those who had gone over to the Donatists. But in all instances the principle is recognized that this is an exception from the rule, that the Church is departing from that principle which belongs to her, that the purity of her ministry is to be sustained by

this rule in the Church, that those who depart from the ministry or who are thrust out from it shall not be restored.

I appeal to members of this Convention that there is no injustice in this rule at all. If the ministry were a right in me or in any individual who has attained to it, there would be a degree of injustice; but that ministry is an honor conferred upon me and conferred upon you all, brethren of the clergy, a privilege which is given to you. If that crown which we have be cast to the dust, if that privilege be thrown away, and we declare that we will have nothing to do with it hereafter, or if, owing to our own immoral and improper conduct, the same result is reached, I think we should never speak of ourselves as having the least right to return to the ministry. I know the ministry in a certain sense is indelible, but only in one sense. It is not indelible as to its acts. The Church may at any time place any of us in that position that none of our ministerial acts shall be valid in the least. With reference to all practice and to all doings, the office of the ministry may be taken away from us; but still, as when one who has been a treasurer at a high court has had impressed upon his arm the sign of a key, and that impression will remain there, so with us remains the ordination indelible, and to this extent simply, that if we ever are restored, we do not need to be again ordained.

Now what is deposition? It is placing down from a seat. What is degradation? It is thrusting down from a step or grade or degree which we have attained. We are not therefore put out of the communion, not excommunicated, not forbidden all the works of a Christian man, a Christian layman. We are simply put among the laity and bidden hereafter to do those works which we should have done all our lives if the Church had not seen fit to raise us from that order to the order of the ministry.

Now this deposition or degradation, especially for great and high cause, seems to me like divorce, and our action casting aside our ministry seems to me the height of disloyalty. Our joining with those who are heretical or schismatical, with the superstitious Church of Rome, seems to me a treason for which there should not often be pardon, and I desire that there should not be upon the Book of Canons any general way by which restoration shall be attained. If restoration, from peculiar circumstances, becomes important hereafter, let us have action then. I do not ask for special legislation; I oppose special legislation; but I conceive that this principle is of such importance to the ministry and to the laity that it will excuse special legislation, if it ever can be excused. I would wish therefore to present, if it be not regarded as new matter, a resolution that all of this report be stricken out after the word "Resolved" and that there be inserted as follows:

That proviso 2 of Section II. of Canon 6 of Title II. be repealed, and also the words in Clause 1 of Section II. of Canon 10 of Title II., "except in cases provided for in the second proviso of Section II. of Canon 6 of Title II. of the Digest."

The simple effect of this motion is to strike out from the Canons everything which has any reference to the restoration of a degraded or deposed minister to his office among the clergy. I am prepared to meet those who will contend that one who has been useful among the clergy, has an amount of talent, has a treasury of power which he ought to

be permitted to exercise again, by saying that to have such a provision as this upon the Canons, is a bait to the clergy to be a little reckless with reference to their doctrine, a little reckless with reference to adherence to "the faith as it was once delivered to the saints," and as presented in the Protestant Episcopal Church, a little reckless and careless and unguarded with reference to their lives. We take upon ourselves vows when we enter the priesthood, that we will drive away all erroneous and strange doctrine, and we take upon ourselves a vow at the same time, that we will make the lives of ourselves and our families to be patterns to the flock. If we take those vows with the possibility of breaking them, and not being ever after excluded from the clergy, I say we take them with a less motive; with a motive which has not that impulse and that pressure in it as the motive with which many of you, and with which I and with which all those who were ordained before the year 1862, took the vows.

I would then request that this amendment be attached to the report, and that then the following resolution be passed:

Resolved, That the report of the Committee on Canons, with the accompanying resolution, be referred to the consideration of the next Convention.

And I do this because I am assured by members of the Committee on Canons and by others, that there are not likely to be cases before that time which will need any consideration whatever, and I do desire that in the most solemn and most sober way, as in the sight of God and in the remembrance of the purity which ought always to adorn our order of the ministry, this whole subject should be taken into consideration.

The Rev. Dr. ADAMS, of Wisconsin. Mr. President—

The Rev. Dr. CADY, of New York. I should like to ask if the five-minute rule is not in force?

The PRESIDENT. If there is any business waiting, of course every gentleman must be confined to five minutes, but as there appeared to be nothing to do, I thought we might as well listen to these speeches.

The Rev. Dr. ADAMS, of Wisconsin. This is a most important Canon, and I suppose its discussion is before the House.

The PRESIDENT. Under the five-minute rule, as its enforcement is called for.

The Rev. Dr. ADAMS, of Wisconsin. I desire to show the House what this Canon is, and if I am interrupted by the five-minute rule I hope I shall be allowed to go on.

I do not desire to say anything against any gentleman in the preparation of Canons or otherwise, but I say this Canon, as it stands, is a Canon for destroying the discipline of this Church. I ask gentlemen who have listened attentively to the reading of its provisions to look at the practical operation of them. I am, for instance, a clergyman in the Diocese of Wisconsin. I am tried, we will say, by the Bishop of Wisconsin, and deposed from the ministry. I very quietly submit to that deposition, and then I go to some other diocese and take up my residence there. Under the terms of this Canon, I can then apply to that Bishop, and

that Bishop can proceed to review the case without reference to anybody else but himself and two other adjacent Bishops and the advice of his Standing Committee, and restore me. Where, then, is the Bishop of Wisconsin, and his trial, and his degradation? Nowhere.

I say this Canon is utterly unfair, and it looks to me as if it would suit a case that has come on the stage lately very well indeed. It would suit Mr. Cheney's case admirably. All he has to do, under this Canon, is to say, "I submit," and change his residence, and having submitted and changed his residence, he comes at once under this Canon.

The Rev. Dr. MEAD, of Connecticut. Allow me to correct the gentleman. This Canon would not apply to such a case as Mr. Cheney's. It says that the individual who shall avail himself of it must have submitted to the deposition.

The Rev. Dr. ADAMS, of Wisconsin. The terms of this Canon apply to the Cheney case precisely, if Mr. Cheney will only recede from his position and submit. If he does so, under the terms of this Canon he can then change his residence to another diocese and apply to the Bishop of that diocese—not the Bishop of Illinois—and that Bishop may take up the case, and may call in, by lot, two Bishops from the six adjacent dioceses, and they may review the case, and with the advice of the Standing Committee may restore Mr. Cheney. I do not see how the thing can be avoided. It is plain and manifest on the very terms of the Canon itself.

Now, Mr. President, I do not venture to impute any intentional evil to the men who drew this Canon, by any manner of means, but I submit to the clergy of this House that before they pass a Canon which has such provisos, they should hesitate a good deal, especially in this late period of the session. The late Dr. Francis Hawks, who I suppose, understood as much about the legislation in this House as any man, once said to me and Dr. Cox, "The session is coming to its close, and I wish you to watch sharp, for this is the time that mischief is always done in the General Convention." [Laughter.]

I do not want to cast any imputation upon anybody, but I assert that under the plain provisions of this Canon, the deposition of Mr. Cheney can be put an end to and he restored to the ministry, by his first submitting and then simply changing his residence. I ask the clergy and legal members of the laity to listen again to the language, and they will see that what I say is so. "If any minister of this Church, having renounced the ministry, or having been deposed under the provisions of Canon 5, Title II., or having been deposed on presentment and trial for any canonical offence"—that covers Mr. Cheney's case—"and having submitted to such deposition"—if this Canon passes he would be a fool not to submit to it [laughter]—"shall desire restoration to the ministry of this Church"—unquestionably he desires restoration to the ministry—"he may address a memorial to the

Bishop of the Church of the diocese in which he resides"—he may go and reside in Wisconsin.

The PRESIDENT. The gentleman's time has expired.

The Rev. Dr. ADAMS, of Wisconsin. I beg the Convention to allow me time to finish this argument.

Several DEPUTIES. Go on; go on.

The PRESIDENT. The gentleman will proceed if there be no objection.

The Rev. Dr. ADAMS, of Wisconsin. I say he may go to Wisconsin, or Iowa, or Ohio, and address a memorial "to the Bishop of the Church of the diocese in which he resides," that is, the Bishop of Wisconsin, or Iowa, or Ohio, "expressing his desire, and promising conformity to the doctrine, discipline, and worship of this Church; whereupon the Bishop to whom such memorial shall be addressed (together with two Bishops to be selected by him by lot, for that purpose, from the six nearest Bishops), and by and with the advice and consent of the Standing Committee of the diocese, shall fully investigate all the facts connected with the case of the memorialist; and the Bishop shall have power, with the approbation of one or both of the Bishops, assisting him in the case, and by and with the advice and consent of the aforementioned Standing Committee, to restore the memorialist to the ministry of this Church, if he and they are satisfied that such restoration will be to the glory of God and the edifying of the Church."

I submit that that Canon simply destroys and oversets and overslaughes the law of discipline of this Church so far as canonical trial is concerned. I submit also that it does apply in its terms to the Cheney case. The gentleman from Massachusetts, in bringing it forward to-night, said, "Let it be put on its passage, or else put it to death." I say, let it be put to death for God's sake.

The Rev. Dr. MORSELL, of Delaware. Mr. President, I sympathize with the object contemplated by the Committee on Canons in presenting this Canon. It is a measure of mercy and of justice. It is a measure of justice in the very particular case to which the Reverend brother from Wisconsin has referred. I make no apology for what Mr. Cheney has done. I never had his difficulty in the use of our service. I have been too well trained in regard to the laws of this Church, and too well informed I trust in regard to them, to make such a difficulty. But, sir, is there no pathway to be left open for a man who has made an error, a mistake? Is there no allowance to be made for conscience? Is there no pity, no relenting in the bosoms of men who are taught by their Blessed Lord that "Blessed are the merciful for they shall obtain mercy?" Shall individuals who are worthy, exemplary, devoted and earnest in the service of God, come out knock at the door of our Episcopate and be told that that door is forever shut? Does such legislation reflect the mind of that Blessed Jesus whose arms are ever extended to receive us? Shall we ministers, who so often depart from those vows

which we have taken, which we often observe not so strictly as we ought, shall we who continually lift up our eyes to God and beg Him to forgive us, say to our erring brother that there is no place for him? Shall we send him forth to the world debased, and degraded and forever stained with shame, and never put forth a hand to wash it out? Sir, such conduct as that would not be worthy of the Church of Christ, or worthy of the great Head of the Church.

Sir, this measure is justice as well as mercy. In the condition of things in our Church there have been, and there will be, ecclesiastical trials in which the Bishop and the court have alike prejudged the case, in which the man stands in that diocese isolated and alone. The broad shield of the law is unable to defend him. He may, in the language of the great defender of our Constitution, be stabbed through that shield. It is possible for a High Churchman to be oppressed by a Low Churchman. It is possible for a Low Churchman to be oppressed by a High Churchman. I do not make the allegation; I do not confine it to the case which has been mentioned by my brother; I simply state the fact that in the conduct of parties in the administration of justice in various parishes these mistakes may be made; and whither shall the man go? It is easy to tell us to leave the Church. It is easy to tell us—

The PRESIDENT. The gentleman's time is up.

The Rev. Dr. MEAD, of Connecticut. Mr. President, without saying at first anything in relation to the language of the Canon which has been misrepresented because misunderstood, I will follow up the train of thought suggested to my mind by the gentleman who has just spoken. I recollect that our Blessed Master, when suspended on Calvary's cross exclaimed, concerning his very murderers, "Father, forgive them, they know not what they do." I remember that previous to that exclamation there was one who said, "Though all should deny Thee, yet I will die with Thee sooner than deny Thee;" and yet in a few hours thrice denied his Master with oaths. Suppose a rigid justice had been exacted by the blessed Redeemer, should we ever have had a St. Peter in the Church? No; he would have been consigned with a Judas Iscariot to contempt and ignominy. It would have been said of him when he went to his old occupation, a broken-hearted man, "He has gone to his own place."

My friends, let us not forget mercy while we remember judgment. I would ask my worthy friend from Wisconsin—and men of high-strung nerves and temperaments are very liable to temporary insanity—suppose in the providence of God he should be smitten with insanity, and do as I knew another insane brother did once. He tendered his resignation of the ministry to the late lovely noble Bishop of Virginia, Bishop Moore, and the Bishop said, "Poor young man, he knows not what he is doing," and withheld it and would not depose him, and he returned to his senses and was thankful to God

that he had to deal with such a Bishop, not with the laws of the Church.

I have known another instance of a young man who, after I became a priest, more than forty-five years ago, was a student of theology, entered the ministry, and fell into that snare which young men sometimes will fall into, though they are wedded to the Church. He had a lady-love who jilted him. It turned his brain. He went to England. Previous to his leaving New York he went to Bishop Hobart and gave him his written renunciation of the ministry. While he was gone, and when he came to his sober senses, as such men under such circumstances are very apt to do after a while, he saw his error and mistake. He returned. Bishop Hobart had died. He applied to be restored to the exercise of the ministry. The iron law was against him, but the providence of God enabled him to obtain a restoration. The Canon required that the Bishop should record the renunciation and the deposition. All the papers of the Bishop of New York were examined, and no such record could be found. And that man entered upon his ministry, and lived and died a useful minister of the Church in the Diocese of New York.

Would you say that in all such cases a man is never to be restored? Put the question to yourself, "How would I like it under such circumstances?" and I am satisfied that you will come to the conclusion that in any case which is not for gross crime or immorality, a clergyman ought, on sufficient satisfaction to the Bishop who deposed him, to be restored. And this Canon requires, the common law of the Church requires, that he shall seek again his canonical residence of deposition. The Bishop of the Church, under the guards provided in this Canon, ought to be permitted to restore him.

What has this to do with the case of the unfortunate, misguided young man in a neighboring city, or what was a neighboring city? Nothing at all. He did not submit to the sentence of the court. He and his case cannot come under this Canon.

Now, gentlemen, I say pause before you attempt to vote down the provisions of this Canon, for I tell you the time may come—I speak to my brother clergymen—when you may, with bitter tears, regret that you had forgotten mercy in your stern determination to exact the pound of flesh,—justice, justice without mercy.

The Rev. Dr. BENEDICT, of Georgia. I should like to offer a slight amendment which certainly escaped us in committee, and which I think may cover the objection. There are two places in the Canon as reported where the word "reside" occurs—one in the case of one who has abandoned the communion of the Church, and the other in the case of one who has been deposed. My motion is, to strike out the word "reside" and substitute the words "in the diocese in which he was canonically a resident at the time of his abandonment," or, as the case may be, "at the time of his deposition." Perhaps that would meet the whole difficulty.

The Rev. Dr. VINTON, of Massachusetts. It

strikes me that that is a very good emendation, and meets the objection of the gentleman from Wisconsin entirely. If I may be allowed to do so, I should like to give a little account of the history of this matter.

The gentleman from Wisconsin says he makes no imputations against the committee. Well, he may say that. The committee acted as the most impersonal agent, the most mechanical agent, in this matter, that you can possibly conceive of. Two Canons were given to us to harmonize the legislation of the Church. We first considered the principle suggested by the clerical deputy from Massachusetts—is a restoration of a deposed minister an available thing in the Church? Is it to be admitted? In considering that the committee were not unmindful of that point, as that reverend gentleman seemed to intimate. They considered it, and the reason they did not pronounce upon it was because they took it as a postulate or as a premise when they had considered it, and built their Canon on that premise, but they were not unmindful of the whole original question. They considered the question, why should a deposed minister be restored under any circumstances? They had in mind precisely that series of instances which the reverend gentleman himself has adduced, proving the pure ecclesiasticism of the principle. As a principle, then, I hold it impregnable that the restoration of a deposed minister is entirely right and proper. The committee held it so, and they had in mind a superior instance, which the reverend gentleman did not note in his remarks, that of Him who is the Author and Finisher of our Faith, and of the ministry. We remembered not technically the great Apostle, but we remembered the first of the Apostles, we remembered the primate of the Apostles, we remembered him to whom the official promise, the covenant, had already been made, "Thou art Peter, and upon this rock will I build my Church"; and then we remembered that he renounced the glory of that appointment, he abdicated his seat and position of authority, and he became no better than the lawless publican. And how did his Master treat him? "Feed my sheep," as if He would give to the Church, for all time, an example memorable, conspicuous, indubitable, and to be followed, of restoration under certain conceivable circumstances. The principle, then, again sir, I say, we hold to be impregnable.

The gentleman says these were exceptional cases, Sir, in the case of a General Council wielding for the moment an absolute power, in the case of a Pope wielding likewise a permanent absolute power, we concede that they need not have rules for exceptional cases, for it is only for them to will and it is done. But ours is not a government of will; it is not a despotism; it is not a one-man power; it is a government of law, whence comes the exceeding conservatism of our system, since every legal system must be conservative; but in consequence of that the hands of power are tied. Now, then, when we provide for exceptional cases we must provide for them by law. If we had a supreme *magister* over us it would be different and we need only come and ask whether he considered the case an allowable one, and in that

case we need no law. But certainly the Church will not renounce her duty. I will not say her privilege in this connection. I will not mention the word "mercy," for, as I said, the Committee did not mention the word "mercy." It was simply a pure, dry, abstract question of propriety and justice.

In order that the Church shall have that power for exceptional cases, she must have a Canon to authorize it; but we are bound, no doubt, to guard these cases by every conceivable method, we are to hedge in the Church from all possible danger and mischief; and it was thought that we had done so here. Instead of setting their own judgments above that of the Church, the committee took the accredited laws of the Church, the very way and words in which the Church had pronounced her own wisdom in times past, and modified these Canons in precise conformity to the language of the precedent which the Church had set before the committee. Therefore, in this matter, the Church did just as little as possible, and the remarks of the gentleman from Wisconsin, in reference to the whole thing, are simply a criticism upon the past deliberate action of this Church, and its held action for years gone by. The committee are not amenable to any such criticism.

After the committee had endeavored to adopt these two cases to one standard, namely, the cases, of personal renunciation of the ministry or deposition and of abandonment of the Communion then came in the question what shall be done with such a case as that at Chicago? The Canons were not thus modified to meet that case. There is no special legislation in the matter. The subject as it was referred to the committee came from the gentleman from Massachusetts, who now avows his clear conviction that there ought to be no restoration.

The Rev. Dr. BURGESS, of Massachusetts. And who then avowed it also.

The Rev. Dr. VINTON, of Massachusetts. And who then avowed it also. Therefore no personal suspicions or imputations can possibly enter into the case.

When these two Canons were adjusted in one form and body, then came in the question, how does the Cheney case come under this head. That clause which I denoted as new while I was reading it was inserted, and it was inserted in the first place without the concluding clause of the sentence "if he shall have submitted thereto." Then as we looked at it we saw it needed a little further hedging, and it was suggested that that must be provided for, and therefore that final clause was put in, "if he shall have submitted to the sentence;" and then it was thought that a case that answered those requirements was a fair case for the experiment.

Now, then, where is the judge of the propriety of acting in exceptional cases? The Canon gives a right for exceptional cases. Who shall exercise the power? Can you elect, select, define, determine, in any way denote a better, a more judicious tribunal, a more reliable body of judgment than that which is denoted in this Canon as the body which is to try the case? Here are three Bishops or the Church, chosen not from their affinities re-

member, but by the sacred lot which determined the Apostleship of some of the early College, and they are to act by the advice of the Standing Committee, laymen as well as clergymen. If you can find a better jury to judge of an exceptional case, which shall in its determinations be conformable to the great principle that is set before it for its conclusion, I should like to know where you will find it. And what are those principles that are set before it? The glory of God and the edifying of His Church. Can there be a stronger appeal to the conscience of any judicial body than that, when they are called upon to say as in the sight of God, as if upon their sacred oaths, "We admit this man back to Thy Church, O Master, feeling well assured under the enlightening influences of that judgment which Thou hast given us that he will administer in our Church to the edification of the body and the glory of Thy great name."

The Convention are now perfectly masters of the history of the transaction. If, in their wisdom, they choose to wipe out all the past action of the Church; if they choose to pronounce now or three years hence that it is all idle and wild, I, personally, have no objection, of course; the committee have none. They did the work set before them. They did it, as I said, in a perfectly perfunctory, official, impersonal way, and the result is before the Convention.

Mr. CARTER, of Maryland. The great argument in support of this Canon seems to be the case of St. Peter. As St. Peter has gone to his rest, fortunately, long ago, I do not think it is necessary to provide for his case. But if St. Peter's case were before the Convention, I desire to say that it is already provided for in the Canon. St. Peter, as I have always understood the case, got frightened at the sight of the bayonets, and denied his Master, on one occasion. I never understood before that he forsook the ministry, but if he did, his case is already provided for in our Canons, because it expressly provides that any clergyman of this Church who gives notice—

The Rev. Dr. VINTON, of Massachusetts. May I remind the gentleman that St. Peter did not renounce the ministry, he abandoned the communion by that denial. He comes under that Canon.

Mr. CARTER, of Maryland. Exactly; I say whether he renounced the ministry or abandoned the Communion, it is provided for in either head in the Canon which expressly provides that if any minister of the Church gives notice to the Bishop that he does not intend any further to perform the duties of a minister, or if he does not choose to give notice himself but practically gives notice by joining some other Communion not in connection with this Church the Bishop is authorized and commanded to depose that minister, and he is commanded to allow him six months in the case of a voluntary withdrawal and a notice to the Bishop that he means to forsake the ministry, and the Bishop holds that withdrawal in his hands for six months, and in the other case when he joins a Communion, without saying anything to the Bishop

about it, not in connection with our Church, he has got six months in which to retract his error. That is already provided for in the Canon.

When the acting chairman of the committee says he did not intend to provide for Mr. Cheney's case, we must take it to be so, and I am sure it is so; but by some remarkable coincidence, this Canon does provide for Mr. Cheney's case. But that does not help or hurt the matter one way or the other. We are dealing with general principles, and not with so insignificant an individual as Mr. Cheney. Here is a Canon which proposes, for your Church legislation, that after a clergyman has been solemnly tried before a tribunal of the Church, and found guilty of the charges against him, he shall have nothing to do then but to say, "I want to come back into the ministry." He takes the chance, you perceive, of a trial; he takes the chance of an acquittal, and finding that he cannot be acquitted, but is found guilty, he has nothing to do but to step across the border of the diocese in which he was tried, to another, and say to the Bishop there, "I have been found guilty; I employed counsel; I did all I could to be kept from being found guilty; but now I am guilty; the court have so found; and I want to come back into the ministry." That is the Canon we are asked solemnly to adopt.

The instances cited by the reverend deputy from Connecticut do not make one argument for the adoption of the Canon. The case of the poor young man in New York who got love-sick and went across the water and came back, is provided for in this Canon as it stands. That is the case of a notice to a Bishop that he means to withdraw, and the Bishop has a right—indeed he is compelled—to withhold that withdrawal for six months. I reckon it did not take more than six months for that young man to return to his senses and come back. As to the case in Virginia where the young man actually resigned the ministry and Bishop Moore withheld the resignation, he did that under the same Canon. But here, in this last hour of the session we are asked not only to sustain our canons thus far which allow ministers who have unfortunately left the ministry to come back voluntarily, but to engraft also on the Canons the principle that when a man has been—

The PRESIDENT. The gentleman's time has expired.

The Rev. Dr. HARE, of Pennsylvania. There is a message from the House of Bishops on the subject of the report made by the Joint Committee on theological education. Is it not customary to have a report from the House of Bishops read at once?

The PRESIDENT. I think we had better take this matter up if this debate is to be continued.

The Rev. Dr. BURGESS, of Massachusetts. I ask the general consent of the House to pass the resolution referring this subject to the next Convention. It may be the wisest thing to be done.

The PRESIDENT. It is moved that the Canon reported by the Committee on Canons and the resolutions relating thereto, be referred to the next General Convention.

The motion was agreed to.

RITUAL UNIFORMITY.

A message (No. 79) from the House of Bishops announced that the House had adopted the following resolution:

Resolved, That this House concurs in the resolution communicated to it in message No. 82, from the House of Clerical and Lay deputies, expressing condemnation of ceremonies, etc., contrary to the authorized standard of this Church.

THEOLOGICAL EDUCATION.

A message (No. 80) from the House of Bishops announced that that House had adopted the following resolution:

Resolved, That this House concurs in adopting the proposed Canon on Theological Education, with the accompanying amendments.

The Rev. Dr. HARE, of Pennsylvania. I move that we proceed to act on that message from the House of Bishops.

The motion was agreed to.

The Rev. Dr. HARE, of Pennsylvania. I have examined the amendments made by the House of Bishops, and I believe very little needs to be said about them except that the amendments all touch the fourth and the ninth of the projects of Canons. They strike out in the fourth proposed Canon "Of Examinations" everything but the words, "In each diocese there shall be examining chaplains to hold their office at the pleasure of the Bishop"; the words, "it being recommended that a fund be established in the dioceses for their support" being erased. There is no change after that, I believe, until the Canon "Of lay Readers," Canon 9, comes up, and there they strike out the whole of Section II., providing that a person to be licensed as a lay reader must have certain testimonials; and they strike out also the proposition made by our President on the floor with regard to the setting apart of a lay reader with solemn services, and with regard to his being employed in any parochial work, or words tantamount to that, which were intended by the reverend mover to come in place of the words, "he shall not deliver sermons of his own composition." In other words, Canon 9 is adopted by the House of Bishops as it came from the Joint Committee, with the exception of Section II. When the amendments are read it will appear whether I have made any mistake. I have had but a few minutes to examine them. My belief is that I have made no mistake.

I am requested to state what I think of them. I think it will be far better to take what comes to us from the House of Bishops than to risk the entire thing. I shall therefore move, at the proper time, to concur with the House of Bishops.

The PRESIDENT. That time is now.

The Rev. Dr. HARE, of Pennsylvania. Then, if it is timely, before the amendments of the House of Bishops are read, I move that the message of the House of Bishops with regard to the substitutes for a Canon reported by the Joint Committee on Theological Education be adopted.

The PRESIDENT. The proper motion will be to concur in the amendments made by the House of Bishops.

The motion was agreed to.

DRAWING FOR SEATS.

Mr. WELSH, of Pennsylvania. I offer the following resolution:

Resolved, That seats for delegates be determined by lot to be drawn by the delegates of the diocese in which the General Convention is to be held.

I offer this resolution because it has always been the usage thus far, except in the present case. We have had during the present Convention one of the most beautiful exhibition of Christian courtesy that I have ever seen. The delegation from Maryland, charged with the arrangements of the House, full of Christian courtesy and feeling very reverent toward their seniors, placed the dioceses in front, according to their age, throwing the young dioceses in the rear, and not only that, but put their own position in the rear of all, although they were entitled to seats much further up. Their action in this respect was a beautiful exhibition of that courtesy which has been manifested throughout this Convention. But the resolution that is in accordance with the usage, and it does not seem right that we should claim hereafter the courtesy which has been enjoyed on this occasion, unless it should be the will of the Convention.

The resolution was adopted.

CLOSING SERVICES:

The Bishops entered the chancel in their Episcopal robes.

Evening prayer was said by the Rev. A. T. Randolph, rector of Emmanuel Church, Baltimore, assisted by the Rev. H. C. Potter, D. D., Secretary of the House of Bishops, Rev. W. Stevens Perry, D. D., Secretary of the House of Clerical and Lay Deputies, and Rev. George Leeds, D. D., a Deputy from the Diocese of Maryland.

The Pastoral Letter was read by the presiding Bishop, as follows:

Brethren, Beloved in the Lord:

The amazing love of our Redeemer is to be devoutly recognized in all the temporal blessings of His covenant, as well as in those which are the more glorious benefits of His cross and Passion. For three years more, marked by many changes and by many extraordinary Providences in the affairs of the world, God has continued to bless us with much of earthly happiness, and with abounding mercies in the communion of His Church. Your Bishops, in addressing you once more in a Pastoral Letter, must begin with these devout acknowledgments, and with a confession of our great unworthiness of such distinguished favors from the Most High.

In a special manner we are called on to thank our Heavenly Father for the advancing outward growth and awakened internal life which have been vouchsafed to us; for greater measures of missionary zeal and earnestness in all those works and services which, as they are the inner glory of the Bride of Christ, so they are also her most precious adorning in the eyes of men. If we do not enter into the manifold details which this whole subject presents to us it is because we would not even seem to boast of that for which we are simply to give all glory to Almighty God.

Two of those who united with us in our last Pastoral Letter are now with God. The venerable Bishops Kemper, of Wisconsin, and Chase, of New Hampshire, assist in our councils no more. It is not our usage on such occasions to multiply words, whether of eulogy or regret. It is understood among your Bishops that they are not to be subjected to the judgment of their brethren in the House of Bishops, whether for praise or censure. To the bare mention of the fact that they do now "rest from their labors," we add nothing, therefore, but the single truth, that they were eminent for piety and worth, and were greatly beloved in the Church and among their brethren in the Episcopate. Their sufficient monuments are the dioceses of which respectively they were the first Bishops, and the noble works which God wrought by them, and which, we doubt not, will long endure to the glory and praise of His holy name.

The services of the Convention of which we have reached the closing hour have been marked in a very high degree by

manifestations of the Divine favor and the presence of the Holy Spirit. Questions of the greatest moment and some of absorbing interest have been before us, yet nothing has disturbed the harmony of our councils, but on the contrary the marked result of our work is a degree of unity and brotherly love which cannot but inspire us with new zeal and confidence for the future. Among your Bishops, day after day, and in the midst of the most anxious deliberations, we are able to assure you that there has not been for a moment any interruption to that spirit of fraternal concord on which the Lord has commanded an especial blessing. To His presence and directing grace be all the honor and praise.

The visits to our Church and to our councils of eminent fathers and brethren from the Church of England and sister churches of her colonial Empire, have not only given a marked and peculiar interest to this Convention, but have been rendered highly conducive to the successful prosecution of its work. This being also the year of our Missionary Jubilee, it has been indeed a delightful feature of our solemnities to have among us those who have so entirely sympathized with the spirit of these occasions, and who have, in many ways, contributed to their happy results.

A special feature of our practical work in this Convention has been the attention given to Homes and Hospitals, and to the organization of woman's work in schools and institutions of mercy. These great subjects we may therefore commend anew to your zeal and wisdom, invoking the liberality and self-sacrifice without which planning and legislation can accomplish little.

In the revival of the Scriptural Diaconate of women we feel an earnest desire that prudence and good sense may so preside over every effort and in every church where such efforts may be made as to secure this blessed enterprise from all untoward circumstances, and from the evil consequences of zeal which is not according to knowledge.

The Bishops in council, with an extraordinary unanimity, have during the present Convention set forth a declaration, touching our offices for the baptism of infants, in the following words:

"We, the subscribers, Bishops of the Protestant Episcopal Church in the United States, being asked, in order to the quieting of the consciences of sundry members of the said Church, to declare our conviction as to the meaning of the word 'regenerate' in the offices for the ministration of baptism of infants, do declare that in our opinion the word 'regenerate' is not there so used as to determine that a moral change in the subject of baptism is wrought in the Sacrament." This declaration was made in the loving hope and confidence that many consciences might thus forever be freed from false impressions, which have been prevalent, concerning the teachings of the Church as respects spiritual religion and personal piety. We exhort you, brethren, to be ever mindful of the tender love of our Master, Christ, for the little children, and to think highly of the privileges to which those are admitted whom, through the agency of His Church, He still takes into His arms and blesses. We entreat you to regard them as his own children by adoption and grace, as heirs of God, to be brought up in the nurture and admonition of the Lord. Let them not suppose that the faith, and the prayers and obedience of little children are lightly regarded by the Father of Mercies. But remember also that baptism does not supersede the necessity of repentance, of justifying faith in Christ, growth in grace, and in that "holiness without which no man shall see the Lord." We exhort all the members of the Church fully to recognize and deeply to feel, therefore, the weight of responsibility which the baptismal covenant lays upon them and their children.

It is still true that if the baptism of infants be not recognized as requiring such godly training as may secure by the Divine blessing the submission of their whole nature, body, soul and spirit, to the renewing and sanctifying influences of the Holy Ghost, then the mind of Christ and the purposes of the Church for the child are not fulfilled. If refraining henceforth from discussions of words in the acceptance of which there seems to be far less of real disagreement than has been imagined, we might now give ourselves with one heart to the rearing of our children in the fear of God, and to securing the great work of their salvation. Then we shall have succeeded in rendering our formularies so practical and so fruitful in godliness as to elevate the whole sentiment of the Church to a lofty spirituality not likely to be disturbed by agitations to which, perhaps, we have subjected ourselves by manifold inconsistencies between our professions and our practices, in the relations we bear to God in covenant.

As we dwell on these things, dear brethren, our minds recur to others of which we must not fail to speak.

We counsel you to bear in mind that while on the one hand we must not suffer ourselves to deny any real good by reason of mere popular outcries against ritual forms, so, on the other hand, we are never to allow professions of self-denying labor and service to blind us to the actual dangers of any movement in the Church. What is known as 'Ritualism' is mainly a question of taste, temperament and constitution until it becomes the expression of doctrine.

The doctrine which chiefly attempts as yet to express itself by ritual, in questionable and dangerous ways, is connected with the Holy Eucharist. That doctrine is emphatically a *novelty in theology*. What is known as Eucharistical adoration is undoubtedly inculcated and encouraged by that ritual of posture lately introduced among us, which finds no warrant in our "Office for the administration of the Holy Communion."

Although men may, by unlawful reasoning on Divine mysteries, argue themselves into an acceptance both of the practice and the doctrine which it implies, these are most certainly unauthorized by Holy Scripture, entirely aside from the purposes for which the Holy Sacrament was instituted and most dangerous in their tendencies. To argue that the spiritual presence of our dear Lord in the Holy Communion for the nurture of the faithful is such a presence as allows worship to Him thus and there present, is, to say the very least, to be wise above that which is written in God's Holy Word. For, the objects of this Holy Sacrament, as therein revealed, are first, the memorial before God of the One sacrifice for sins forever; and secondly, the strengthening and refreshing of the souls of the faithful. Moreover, no one can fail to see that it is impossible for the common mind to draw the line between the worship of such an undefined and mysterious presence and the awful error of adoring the elements themselves. Wherefore, if a teacher suggests this error by act or posture, he places himself in antagonism to the doctrine of this Church and the teachings of God's Word, and puts in peril the souls of men. In the presence, therefore, of this danger, we call upon the ministers and members of the Church to bear in mind that while they should always cherish and exhibit that true and genuine reverence which devoutly recognizes "the dignity of the holy mystery and the great peril of the unworthy receiving thereof," yet it is the bounden duty of each one to deny himself the outward expression of what to him may be only reverence, if that expression even *seems* to inculcate and encourage superstition and idolatry.

In thus speaking of dangers connected with present movements in the Church, there are other points on which your Bishops must not be silent.

The first relates to private confession. Whenever a human soul is possessed by a searching and sincere repentance and a longing for a deeper spiritual life, there come also with these things a keener sense "of the exceeding sinfulness of sin" and a desire for an authoritative assurance of forgiveness. And then, on the other hand, frivolous and worldly persons, simply because they desire to rid themselves of any sense of present responsibility or future retribution, seek for the same assurance. Advantage is taken by some teachers in the Church of these two entirely different spiritual states to insist upon private confession to a priest as either the absolute duty of all Christians, or as essential to any high attainments in religious life. Meantime, the fact that pardon is granted to any child of God on his repentance, accompanied by prayer and reliance on the promises in Christ, as well as in the use of the means of grace, is utterly passed by. The teaching of the Church in this matter is plain and clear.

She permits and offers to her children the opening of their griefs in private to some minister of God's word. But she does not make this the *first resort*. She does not provide for its frequent recurrence or uniform practice; she does not impose by ecclesiastical ordinance; she does not hold or declare it necessary for the forgiveness of sins, or the attainment of high degrees of spiritual advancement; nor does she connect with it blessings which can be secured only by its observance. She simply offers and commends this privilege to those of her children who cannot quiet their own consciences by self-examination, immediate confession to God, with faith in Christ, repentance and restitution. Wherefore, to make this seeking of comfort and counsel not exceptional, but customary, not free, but enforced (if not by actual law, at least by moral obligation and spiritual necessities), is to rob Christ's provision of its mercy and to change it into an engine of oppression and a source of corruption. History demonstrates this. The experience of families, and even of nations, shows that the worst practical evils are inseparable from this great abuse. To pervert the godly counsel and advice which may quiet a disturbed

conscience into the arbitrary *direction* which *supplants* the conscience is to do away with that sense of moral responsibility under which every man "shall give account of himself to God."

Another point of danger is a tendency toward Saint-worship, and especially its culmination in the worship of the Blessed Virgin. The annals of our race under the covenant dispensations, as well as *beyond* their limits, show that there is nothing to which our fallen nature is more fearfully inclined than the worship of the *creature* rather than the *Creator*. And this propensity to evil has always found its most attractive development in a sensuous disposition to deify and adore the tenderness and love of womanhood. The error of which we speak has arisen chiefly from this propensity of our nature, and it found its apology in a perverted view of the veneration due to her whom "all generations" are to "call blessed."

There is no sin more continuously and decisively marked by the signal displeasure of God than that of idolatry in its manifold varieties. Hence, although we do not anticipate a general prevalence of tendencies to *Mariolatry*, which some have done much to encourage, we nevertheless feel that their *slightest indication* demands our immediate and decided reprobation. The bare suggestion that the intercession of the Virgin Mary, or of any other saint, is in any way to be sought in our approaches to the Throne of Grace, is an *indignity* to the One only Mediator and Intercessor which we, His Apostolic witnesses, cannot too strongly nor distinctly forbid in His holy and all-sufficient name.

As fostering tendencies of which we regret to see any tokens among us, we must not fail to point out the danger arising from devotional and doctrinal books, alien in their character to the whole spirit of our Liturgy, which have of late years been insidiously multiplied in England and America. Such works are chiefly borrowed from sources confessedly hostile to our communion, and tend only to weaken and undermine the loyalty of our people, and especially of our youth, to the *primitive faith and worship of our Church*. Moreover, let it be borne in mind, that the rich treasury of our own devotional authors is full of all things that minister to edification, while the inspired Psalter and other Holy Scriptures, too little studied by most of us in this age of hurry and unrest, *leave wholly without excuse* this disposition to seek such aids to devotion as we here pointedly condemn.

The books just mentioned are not the only ones against which our people must be warned. Publications are scattered through our parishes, the whole aim of which is to undermine the legitimate authority of the chief pastors of the Church, to inculcate irreverence, to stir up strife, to excite suspicion, to advocate "the factious maintenance of groundless opinions," and to lead to division and schism. It was the solemn counsel of St. Paul to "mark those that cause divisions" in the Church, and to avoid them and their teachings.

Nothing is more unreal than the popular idea that our Church is a middle way, elaborately contrived as a compromise between opposing systems. But, in the nature of things, as a witness to primitive truth, she is always subject, as was the Church in the days of the Apostles, to opposing lines of assault. On the one side is the temper of the Jew, and on the other that of the Greeks. Our conflict on the right hand and on the left is and must continue to be with superstition and lawlessness, irreverence and unbelief.

Now, though little *alarm* is felt, in view of a disposition on the part of some to detract from the testimony which we are ever to bear to the "Faith once delivered to the Saints," and, if not to mutilate, yet to fall below the language of our liturgy, and to undervalue its doctrinal teachings, we must never forget that the peculiar dangers of our age are those of irreverence, lawlessness and unbelief, and that all such detractions minister directly to the worst influences of the irreligion that cloaks itself in pretences of "science, falsely so called."

Their negative character, indeed, accounts for the fact already noticed, that errors in this direction excite little anxiety, and the habits of our people, formed necessarily under the imperfect ministrations of our ecclesiastical non-age, are naturally the *reverse of sensitive* to omissions and neglects in carrying out the system of the Book of Common Prayer. But, with increase of opportunities and of ministers, these things are less excusable. We hold that, if nothing more than what is clearly vindicated by our rubrics is permitted in *one direction*, we are bound in the veriest justice to condemn any counterpart disposition to *diminish* in any manner from their prescriptions as to order and worship.

These crying evils of irreverence and lawlessness are setting in through many currents and from opposing quarters; they are, in truth, so closely connected and so invariably go hand-in-hand that they may well be spoken of *together*. The irreverence which lightly esteems holy mysteries leads directly to lawless violations of the order of their ministration; the irreverence which scorns the due authority of those whom Christ has set for the government of the Church, leads *as directly* to open disobedience and the rejection of solemn vows and binding obligations. "Despising dominion" and "speaking evil of dignities" are counted in Holy Scripture as sins of no ordinary magnitude; and they are not less sins to-day than they were in the Apostolic age.

Cultivate, then, beloved, in the daily walk of your Christian life, in your homes and by your firesides—above all, *in the Temple of God*, where His holy name is worshipped—such a spirit of *reverence* as shall manifest itself in word and act, and such a temper of *submission* and *obedience* to what is duly ordained and appointed as may make for the Church's peace and for your own great spiritual good. So shall brethren "dwell together in unity," and you shall see "Jerusalem in prosperity all your life long."

It is a very clear part of our present duty to you, brethren, to utter anew the charge that you be "not conformed to this world." *In the world* you must have your daily walk and work. Your discipline of grace involves *exposure* to the *subtle allurements*, as in many cases to the *grosser temptations of that world*. But you may turn that exposure to your *great spiritual gain*. You may become the wiser and holier *by that very means*. The grace of God will accomplish in you this glorious result, if you work with His Holy Spirit.

To this end we remind you that covetousness is idolatry; that the growing eagerness to get money, the widely-spread worship of money and the lavish display of money in much of our daily life, are manifestations of that idolatry. Christian men and women ought to *ponder* this, and to carry the resulting views of duty and piety into their business, their social life, their homes and families. We are sure that the need of this warning has, of late, grown largely among us, and that some of those wise scruples and restraints, formerly more, perhaps, than now, influencing good men's consciences in the pursuit and use of riches, and in the habits and amusements of social life, have been far too much relaxed. Hence come the sins of covetousness, of wasteful vanity, and of the robbery of God in withholding from His cause His due share of the worldly things entrusted to our control.

Nor may we omit to renew the warnings, *more than once before* given in the pastoral letters of your Bishops, against some of those public amusements and exhibitions, from the sight and lessons of which any true morality, to say nothing of pure religion, ought to make good men and women *withdraw themselves* and most scrupulously keep their children.

The great and destructive *sin of intemperance* claims our anxious notice. That sin is, as all must see and lament, growing in our land. It can be met only by such distinct pastoral warnings and examples, and by such lessons and habits of self-denial *in the home*, as will train and keep the people of Christ, young and old, faithful to the vows of their high vocation.

Wherefore, Christian fathers and Christian mothers, ask yourselves earnestly and honestly how far the nurture and admonition which your children are receiving at your hands, in this most worldly age, are "the nurture and admonition of the Lord;" how far the pleasures and associations encouraged and allowed are compatible with the life of God in the soul of man; how far the books permitted to be read, and the *ideas cherished* in the minds of children are leading them to "seek first the Kingdom of God and His righteousness;" and therefore how far you are discharging, towards those whom God has given you, that household priesthood which exalts your position as parents and commensurately increases your responsibility.

If you are faithful to this solemn trust, then all the holiest interests of society are sure to feel the benefit of your fidelity. If you are unfaithful, not only will your sin be visited on those who are dearest to you, but worldliness *like a flood* will sweep away all that God has made our most precious heritage in His Holy Church. Of the effect of this *on our country* it is not necessary that we should speak. Fearful indications of coming judgments are already before us. The history of empires during the past year is a warning which need not be expounded of that *swift destruction* which nations, as well as individuals, may bring upon their own heads, from a patient but just Creator.

To the Divine Redeemer of our souls your Bishops fer-

vently commend the beloved flock over which the Chief Shepherd has set them in authority. Love Him with a fervent love, and with an uncalculating devotion. Make proof of your gratitude for the unspeakable riches of His Gospel. "Bring your presents and come into His courts." But remember, also, to worship Him in the beauty of practical holiness. We live in days which call for no stinted liberality, which demand the sacrifices of genuine love, which indicate that God is *waiting to be gracious*, if only His people will *prepare themselves* for His visitation.

The whole Church of Christ is giving tokens of His reviving presence. Grace, Mercy, and Peace be multiplied upon you, and upon all who love the Lord Jesus Christ in sincerity. Amen.

The Benediction was pronounced by the presiding Bishop. The Bishop thereupon retired, and the House of Clerical and Lay Deputies was again called to order.

RESTORATION TO THE MINISTRY.

A message (No. 81) was received from the House of Bishops, announcing the passage by that House of the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That Canon 11, of Title II., be amended by the addition of the following section:

"§ II. A Bishop of this Church may remit and terminate any sentence of deposition or degradation judicially pronounced by him upon a presbyter or deacon, within his jurisdiction, if upon reasons which, with unanimous advice and consent of the Standing Committee of his diocese, he shall deem sufficient, he shall receive from any five Bishops of his Church, to whose judgment he shall submit his proposed action, with his reasons for the same, their unanimous consent and approval for the proposed remission."

The Rev. Dr. CLARK, of New Jersey. I move to amend that Canon by inserting after the words "a Bishop of this Church," at the beginning the words "or his successor." Their omission is a defect in the Canon which I have been requested by one of the House of Bishops to call attention to.

Mr. JUDD, of Illinois. I for one see no objection to this Canon. I hope it will pass. I rise to move that this House concur in it.

The Rev. Dr. ADAMS, of Wisconsin. I second that motion.

The PRESIDENT. The first question is on the amendment of the gentleman from New Jersey.

Mr. BATTLE, of North Carolina. Is it necessary to put in the words "or his successor?"

The Rev. Dr. HARE, of Pennsylvania. I move that the Canon pass as it came from the House of Bishops.

The PRESIDENT. The question is on the motion just made, that the Canon do pass as it came from the House of Bishops.

The motion was agreed to.

ACTION OF HOUSE OF BISHOPS.

A message (No. 82) was received from the House of Bishops, announcing that it concurred in the amendment of Section 1 to Canon 21, of Title I., concerning consecrated property, etc., proposed to it in Message No. 77, from the House of Clerical and Lay Deputies, and in the resolution appended to that message, and also that it concurred in Message No. 64, from the House of Clerical and Lay Deputies in relation to the Federate Council of the dioceses in the State of New York.

CHURCH OF SWEDEN.

A message (No. 83) was received from the House of Bishops, announcing the passage by that House of the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That the Joint Committee on Friendly Relations with the Church of Sweden be continued, and that the committee on the part of this House consist of the Bishop of New York, the Bishop of Illinois, the Bishop of Western New York, the Bishop of Minnesota, and the Bishop of Wisconsin.

The Rev. Dr. PERRY, of Western New York. I move that this message be concurred in, and that the committee on the part of this House be the Rev. Dr. Paddock; the Rev. J. P. Tustin; Mr. George L. Harrison of Pennsylvania, and Mr. James Bridge of Maine.

The motion was agreed to.

THE STANDARD BIBLE.

A message (No. 84) was received from the House of Bishops announcing the passage by that House of the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That the Joint Committee to examine the proof-sheets of the proposed Standard Bible be continued, and that the committee on the part of this House be as heretofore: the Bishops of Delaware, Connecticut, New York, New Jersey, and Pennsylvania.

The Rev. Dr. PERRY, of Western New York. I move that we concur in this message, and that the committee on the part of this House be the same as that appointed at the last Convention, with power in the Chair to fill vacancies.

The motion was agreed to.

VOTES OF THANKS.

The Rev. Dr. Vinton, of Massachusetts submitted the following resolution:

Resolved, That this House tender their sincere thanks to the reverend, the President, for the faithful, impartial, and courteous discharge of the delicate and arduous duties of his responsible office.

The Rev. Dr. HARE, of Pennsylvania. I second the resolution.

The Secretary put the question on the resolution; and it was adopted unanimously by a rising vote.

On motion of the Rev. Dr. Haskins, of Long Island, it was

Resolved, unanimously, That the thanks of this House are tendered to the Secretary and his Assistants for the able and faithful manner in which they have performed their arduous duties.

On motion of Mr. DeRosset, of North Carolina, it was

Resolved, That the Secretary be requested to express to General Andrew W. Denison, Postmaster of this city, the thankful appreciation by this House of his kindness in providing convenient postal facilities for the Convention during this session, and also to his Assistant, Mr. Rothrock, our thanks for his polite attention to the duties of his office.

RESTORATION OF DEPOSED MINISTERS.

The Rev. Dr. BURGESS, of Massachusetts. It will be observed, Mr. President, that in Canon 10, Section II. of Title II., at the close is this sentence:

"No deposed minister shall be restored to the ministry except in cases provided for in the second proviso of Section II. of Canon 6 of Title II. of the Digest."

I consider it rather an act of magnanimity after my address this evening, and the ground that I took, to

point to the Convention the necessity of repealing this portion of the Canons, inasmuch as it interferes directly with the Canon which we have just passed, which came down from the House of Bishops. I would therefore move its repeal.

The Rev. Dr. HARE, of Pennsylvania. I second the motion for repeal.

Mr. BATTLE, of North Carolina. That must necessarily go to the House of Bishops.

The PRESIDENT. Certainly.

The Rev. Dr. VINTON, of Massachusetts. Is not that new business?

The Rev. Dr. BURGESS, of Massachusetts. But the other business would be no business at all if this were not passed.

The Rev. Mr. HANSON, of Alabama. I ask if the last Canon we passed, does not necessarily repeal anything which would prevent its being carried out?

Mr. FRANKLIN, of Pennsylvania. Mr. President, every Canon which is enacted, repeals every previously existing Canon with which it is inconsistent, and there is no earthly necessity for repealing the previous Canon in terms.

Mr. JUDD, of Illinois. I suppose the object of the deputy is to remove any apparent contrariety or contradiction in these Canons, to get out this portion which does not look exactly consistent with what we have done. I see no necessity for keeping it in.

The Rev. Dr. BURGESS, of Massachusetts. I will point out to the Convention the fact that this Canon has stood in the list of Canons, and Canon 11 has provided all the time for the remission of a judicial sentence in the case of a Bishop. It has seemed to me that they have always conflicted one with the other.

Mr. CARTER, of Maryland. The two Canons provide for different things. The proposition sent down to us from the House of Bishops, in which we have concurred, is an amendment of Canon 11 and not of Canon 10, and if Canon 11 heretofore has stood consistently with Canon 10, it can stand now notwithstanding the amendment we have made. I do not see the slightest necessity for any such action as is proposed by the Rev. deputy from Massachusetts. I move to lay the proposition on the table.

The Rev. Dr. PADDOCK, of Long Island. I suggest to the Rev. deputy from Massachusetts, that, unless he desires very much to press this matter, it would be better to withdraw it, rather than have it laid on the table.

Mr. FRANKLIN, of Pennsylvania. Mr. President—

Mr. CARTER, of Maryland. A motion to lay on the table is not debatable.

Mr. FRANKLIN, of Pennsylvania. I did not hear such a motion made.

The Rev. Dr. BURGESS, of Massachusetts. As I expressed in the beginning, I have no personal feeling or desire about this matter or wish to press it, but I am very confident that if there arises during the recess of the Convention a case in which the Bishops may be disposed to act, they may be prevented from acting by the existence of this clause.

The Rev. Dr. PADDOCK, of Long Island. Is the House of Bishops still in session, Mr. President?

The PRESIDENT. I presume so.

The Rev. Dr. PADDOCK, of Long Island. The resolution for this repeal will have to go to the House of Bishops for concurrence.

The PRESIDENT. Of course; but there is a pending motion to lay it on the table.

Mr. CARTER, of Maryland. I withdraw that motion at the suggestion of some gentlemen, but I ask members to take up the Canons, and I think if they will do so they will find that this would be most mistaken legislation if we had time to consider it. Canon 10 provides for penalties and provides that ministers once degraded shall not be restored except in a certain manner. Canon 11 we have just concurred with the Bishops in amending, but that Canon does not appertain to the restoration of ministers degraded. Canon 11 as it stood before the recent amendment, provided that the Bishops of the Church by joint action could remove any sentence which had been imposed by them as a judicial tribunal. The difference between Canon 11 as it stood before amendment and Canon 11 now, is that we have concurred with them in amending it so as to provide that a single Bishop instead of the House of Bishops may remit a sentence which he has pronounced. If therefore there was no inconsistency between Canon 11 before and Canon 10, there is no inconsistency now between Canon 11 as amended and Canon 10, and the very last clause of Canon 11 as it now stands has this proviso,

Provided, That nothing herein shall be construed to repeal or alter Canon 10 of this Title.

If the amendment of the respected deputy from Massachusetts should prevail, it would go in the teeth of that express declaration of Canon 11, that it was not in any sense or shape intended to affect Canon 10.

The Rev. Dr. BURGESS, of Massachusetts. I would point out to the deputy of Maryland that Canon 11 "heretofore has had to do simply with Bishops and the remission of sentences placed upon Bishops by Courts of Bishops, providing that if a Bishop had been tried and sentenced, his sentence may be remitted by his brother Bishops under certain circumstances. It seemed, then, proper at the close, that this proviso should be put in with reference to Canon 10, showing what Canon 10 has to do with other clergy, and not with Bishops. Now, an amendment has been made to Canon 11, adding other clergy as well as Bishops to that Canon, and it strikes me still, that we had better pass this if the House has not any peculiar objection to it.

The Rev. Dr. HARE, of Pennsylvania. I am quite of the same opinion as that of the reverend deputy from Massachusetts. Canon 11 was passed, if I remember rightly, with relation to the case of one or other of the suspended Bishops of New York and Pennsylvania; and it was for the purpose of indicating that the Convention did not intend to provide for the case of the restoration of a deposed Bishop, that they added the language at the close of Canon 11, "*Provided, That nothing herein shall be considered to repeal or alter Canon 10 of this Title.*" Canon 10 of this Title declares that "no deposed minister should be restored to the ministry, except," as was afterward added, "in a particular case." I cannot but think, therefore, that Canon 11 throws no light on this subject whatever. Its simple declaration is that a deposed Bishop shall be like a deposed presbyter.

Mr. BATTLE, of North Carolina. If I do not mistake, this is against the order of the House. It

is new matter and that shows the importance of that order. This matter ought to go to the Committee on Canons beyond all question.

The Rev. Dr. DEKOVEN, of Wisconsin. I move that it be referred to the Committee on Canons.

Mr. BATTLE, of North Carolina. I move that it be not received, because it is against the order of the House.

Mr. CARTER, of Maryland. The Lay Deputy from North Carolina has properly said it cannot be received under our rules.

Mr. BATTLE, of North Carolina. Certainly not, and I object to it.

The PRESIDENT. I do not believe it can.

The Rev. Mr. HANSON, of Alabama. I move that our rules be suspended for the purpose of receiving it.

The motion was not agreed to.

HYMNAL FOR SUNDAY SCHOOLS, ETC.

Mr. WELSH, of Pennsylvania. I have a resolution which I think will not occasion any discussion. I will state that I conferred with a member of the Committee on Hymns a few moments since, one of the Bishops, and he says the House of Bishops will not only be in session this evening but tomorrow morning and this resolution will be altogether agreeable to him.

Resolved (the House of Bishops concurring.) That the Committee on the Hymnal consider and at its discretion report to the next General Convention additional Hymns suited for Sunday schools and for meetings of lay workers.

For thirty years, Mr. President, I have waited for this. For thirty years I have been compelled to use our Prayer Book, for I would have no other in the Sunday School, and we have not yet been furnished with a sufficient number of Hymns. Others may not have the same views; they may go elsewhere for their Hymns for our children; but after listening to that Pastoral to-night I did feel stirred up, for there we were enjoined to care for these little ones, and surely the Church should provide not only for Prayers on public occasions but for Hymns.

Then again, in that Pastoral you observed that which we have heard throughout the whole of the Convention and the Board of Missions, a determination on the part of this Church to be thoroughly practical, to order up all lay people to work, and it is a strange thing that in our whole Book of Hymns there is but one Hymn suited to an occasion of that sort. Other religious bodies furnish hymns in large numbers for sodalities and for associations of brotherhood and sisterhood. This is a mere resolution requesting that Committee at its discretion during the three years recess, to consider, if they see fit, and report to us at the next Convention hymns for occasions of this sort.

Mr. STEVENSON, of Kentucky. Is not that new matter?

The PRESIDENT. It is new matter most assuredly.

The Rev. Dr. PADDOCK, of Long Island. It is not only new matter but very important matter.

Mr. WELSH, of Pennsylvania. I move then the suspension of the order to introduce this new matter.

The motion was agreed to.

The PRESIDENT. Now the resolution is before the House.

The Rev. Dr. PADDOCK, of Long Island. Now that it is introduced, I hope it will not pass. It is very late now for us to propose to instruct that committee to go on and enlarge the Hymnal, for that is what it really means, and I hope that, at this conceded to be rather late stage of our meeting, we shall not proceed to instruct the committee to make a new Hymnal.

Mr. WELSH, of Pennsylvania. This does not instruct the committee. It leaves them at their discretion to do it, and it is optional with them to report. The eyes of the whole Christian world seems to be upon us. I was touched to-night with that prayer we heard. I ask the House to pass the resolution.

The Rev. Dr. ADAMS, of Wisconsin. I will say that there is a Sunday-school Hymnal, edited by a presbyter of the Diocese of Michigan, now Bishop Armitage, which contains 300 pages of hymns, and it has been always used in Sunday schools according to the wish and desire of presbyters, and there is nothing against it. I recommend the gentleman to consult that and use it. [Laughter.]

Mr. WELSH, of Pennsylvania. I prefer the Prayer Book.

Mr. GOLDSBOROUGH, of Easton. I move to lay it on the table.

The motion was not agreed to.

The PRESIDENT. The question is on the resolution.

The resolution was agreed to.

CLOSE OF THE SESSION.

On motion of the Rev. Dr. Perry, of Western New York, it was,

Resolved, That a committee be appointed to wait on the House of Bishops, and inform them that this House has completed the business before it, and desires to know whether that House has any further business to transmit to this House.

The PRESIDENT. The Chair appoints the Rev. Dr. Perry as the committee.

ADDRESS OF PRESIDENT CRAIK.

The PRESIDENT. While we are waiting to hear from that Committee, I desire to return my thanks to you for the vote you have just now passed, as well as for the distinguished courtesy, and, what was far better, I may say, the affectionate cordiality with which I have been treated by this body during our long session. These things are most gratefully acknowledged. Such tributes from such a body any man might be proud of.

When I joined Dean Howson the other day in the vestry room, after his visit to this House, he said with warm feeling, "You preside over a noble body of men; you cannot appreciate this as I do, because you are used to seeing them and have grown up in such association." I do appreciate certainly his commendation.

Gentlemen, this meeting of the Convention has been a very strong confirmation of a view which I have long held of the benign influence of the triennial assembling of the

representatives of the Church upon the whole Church feeling and religious feeling of this country, and especially of our own body.

There is a strong feeling among some of us in favor of the formation of this national Church of many provinces with their respective councils. However that matter may be ordered and settled in the future, I am quite sure that within the present century at least the conventions of the whole Church should be held not less frequently than once in three years, as heretofore. It may possibly be necessary in the course of a few terms more to diminish the number, but not the frequency of these assemblages from the whole region to which this Church is called to minister.

You know it has been repeated often before, and never more emphatically than in the six months preceding the meeting of the present Convention, how the storm seemed to be gathering, how the waves seemed to roar and to portend to timid friends and to innumerable foes that this good old ship would go to pieces in that storm. Now see the difference! See the effect of our coming together! We looked each other in the face; we took each other by the hand; we talked freely together, and the storm was hushed. There has been a great outpouring, a blessed communion of heart and soul. There has been warm debate, earnest consideration, and some passages of wit and satire, but not a single vote in which the recognized schools of opinion in the Church have divided upon the lines of those schools. There has been the most beautiful intricacy and confusion of old differences in all these votes, dioceses dividing, men heretofore considered as walking precisely in the same way separating from their friends in the same diocese and in adjoining dioceses, and all voting just according to their personal convictions of right and duty, without the slightest reference to party or to schools.

This meeting of ours has produced surely an exemplification of "the unity of the spirit in the bond of peace." We learn by thus coming together to speak the same language and to mean the same thing. You are familiar with the fact that there are counties in England, all the people of which nominally speak English, but large portions of the people who remain at home in those counties have gradually fallen into a provincial lingo which makes the people of one county almost entirely unintelligible to those of another. So in the Church: While we are apart in cliques and narrow circles we speak a different language, we speak and think apart. When we come together we learn to use the same words and to understand one another.

There has been a good deal of anxiety that some of the evils which seem to afflict the Church, and which do afflict her, should be met by strong, coercive legislation. Perhaps that might have been better; but my own conviction has been, all along, that the Divine ideal of the Christian Church, as represented in our Book of Common Prayer and in the Constitution and Canons of our Church, combines, in just and beautiful proportion, all proper securities for purity of doctrine, for desirable uniformity of worship, and for that personal liberty required by the duty which is laid upon the Church to adapt herself to the growth and progress of society, and to changing times and emergencies. And I feel sure that the intelligent conservatism of the clergy and people of the Church in this country may safely be trusted to discourage and ultimately to put down, without violence or irritation, those vicious extravagances or meagre defects of ritual which are either offensive to good taste or foreign to the genius and spirit of our formularies. In these convictions I have felt secure, unmoved, unagitated, and I think that this will be the feeling in which we shall go forth from this Convention, trusting in the Church and in the Great Head of the Church that while we, as faithful servants of God, perform the duty which is laid upon us in our respective spheres, He will be with us to make us strong for good, and to enable us to accomplish the

glorious destiny which I believe to be in store for this Church in this wondrous land of progress and growth.

I thank you heartily for your kindness.

On motion of the Rev. Dr. Wilson, of Central New York, the address just delivered by the President was ordered to be entered on the Journal.

On motion of the Rev. Dr. Mitchell, of Georgia, the Secretary's minutes of this day's proceedings were approved without being read.

RESTORATION OF DEPOSED MINISTERS.

A message (No. 86) was received from the House of Bishops, announcing the passage by that House of the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That Clause 1, Section II, of Canon 10, Title II, be amended by striking out the last sentence, thereof, viz.: "No deposed minister shall be restored to the ministry, except in cases provided for in the second *Proviso* of Section II., of Canon 6, of Title II., of the Digest."

Mr. CARTER, of Maryland. I move concurrence.

The Rev. Dr. BURGESS, of Massachusetts. I think the deputy from Maryland ought not to move concurrence. I think it belongs to me, if to anybody, to move concurrence. [Laughter.]

Mr. CARTER, of Maryland. I stand corrected. The resolution was concurred in.

COMMITTEE ON INDIAN AFFAIRS.

A message (No. 87) was received from the House of Bishops, announcing the passage by that House of the following resolution:

Resolved, That this House consents to the appointment of a Committee on Indian Affairs, as asked in message No. 80 from the House of Clerical and Lay Deputies.

The PRESIDENT appointed Mr. William Welsh, of Pennsylvania, Mr. John W. Andrews of Ohio, Mr. John W. Stevenson of Kentucky, Mr. H. W. Sheffield of Virginia, Mr. Benjamin Stark of Connecticut, and Mr. Henry W. Hayden of Michigan, as the Committee on Indian Affairs.

HYMNAL FOR SUNDAY SCHOOLS.

A message (No. 88) was received from the House of Bishops, announcing that that House consented to the resolution as to Hymnal proposed in message No 95 of the House of Clerical and Lay Deputies.

FINAL ADJOURNMENT.

The Rev. Dr. PERRY, of Western New York. Mr. President, the committee appointed to wait on the House of Bishops and acquaint them with the fact that this House has completed its business, and to ask them if they had any other business for us, having performed that duty, report that the House of Bishops authorized this House to be informed that they had no further business for us.

Mr. JUDD, of Illinois. I move that we adjourn.

Mr. WELSH, of Pennsylvania. I suggest that we sing the *Gloria in Excelsis* before we adjourn.

The members of the House all rose and sang the *Gloria in Excelsis*, at the conclusion of which the President declared the House adjourned without day.

[The following is the report of the evening session of Monday, October 23d, 1871, which was necessarily omitted from its regular order of publication.]

EVENING SESSION.

The House resumed its session at 7 o'clock P. M.

MESSAGE FROM THE HOUSE OF BISHOPS.

A message (No. 48) was received from the House of Bishops, announcing the passage by that House of the following resolutions:

Resolved, That this House concurs in the first resolution of the House of Clerical and Lay Deputies, communicated to it in message No. 32, from the House of Clerical and Lay Deputies, amending the first article of the Constitution of the Domestic and Foreign Missionary Society.

Resolved, That this House does not concur in the second resolution communicated in said message for reasons which appear in the following resolutions, in which they desire the concurrence of the House of Clerical and Lay Deputies, viz.:

Resolved, That the Board of Missions be requested to instruct the Domestic Committee to appoint a Commission, to whom shall be committed the special care of the Indian Missionary work, and who shall have charge, under the direction of the Domestic Committee, of the oversight and conduct of the same.

Resolved, That in the opinion of this Convention, all Missions to Indians within the United States should be placed by the Domestic Committee on the same footing as to the appointment and support of Missionaries with other general domestic Missions of this Church.

A message (No. 49) was received from the House of Bishops, announcing the passage by that House of the following resolution:

Resolved (the House of Clerical and Lay Deputies concurring), That the following amendments be made to Section 5 of Canon 13, Title I.: First, that in line 3, after the word "uniformity," be inserted the words "or by reason of the extent of his diocese;" second, that after the words "surviving him," in line 6, be inserted the following words, viz.: "*Provided*, That before the election of an Assistant Bishop, for the reason of extent of diocese, the consent of the General Convention shall be had and obtained."

USE OF THE PRAYER BOOK.

The Rev. Dr. HAIGHT, of New York. I ask consent to bring in a report from the Committee on Canons, in reference to a message from the House of Bishops, touching Canon 20, "Of the use of the Book of Common Prayer." The House of Bishops did not concur in the action of this House, and they sent down a resolution upon the subject, which was referred to the Committee on Canons. The Committee now present the following report:

The Committee on Canons, to whom was referred message No. 41 from the House of Bishops, refusing to concur in the first part of Canon 20, Title I., as amended by this House, but to adopt a resolution for

the appointment of a Joint Committee to consider the subject of special services, in place of the proviso which formed the latter part of the said amended Canon, respectfully report that they recommend the adoption by the House of Clerical and Lay Deputies of the following resolution:

Resolved, That the House of Clerical and Lay Deputies disagree with the House of Bishops in their proposed resolution by way of amendment to the proposed amended Canon, No. 20.

The committee had this matter under consideration, and it seemed to them the resolution proposed by the House of Bishops as a substitute for their proviso did not at all meet the point which this House had in view in passing that proviso. It seemed to them to relate to a different subject, if not in whole, yet in part; and they were not all inclined to recommend to this House concurrence. At this late period it is possible that nothing further will be done in regard to this matter. If so, the responsibility of not making any alterations in that Canon to meet what I think to be the general expectation of the Church, will not rest wholly with this House. The resolution is that the House of Clerical and Lay Deputies disagree with the House of Bishops in their proposed resolution by way of amendment to the proposed Canon No. 20. If that resolution be passed, it will go up to the House of Bishops and that House may, if they think best, ask for a Committee of Conference. At all events we are not at all prepared to concur with the House of Bishops in their resolution. I move the passage of the resolution reported by the committee.

Mr. CARTER, of Maryland. I ask the Reverend deputy what was the proviso in lieu of which the House of Bishops recommend the appointment of a committee.

The Rev. Dr. HAIGHT, of New York. It related simply to the discretionary use of the Book of Common Prayer,—a matter which we discussed here for three days.

The Rev. Mr. BUEL, of Albany. I am very sorry to differ from the judgment of our Committee on Canons, but I feel constrained to propose an amendment to the resolution they have offered. The Canon we are considering is a most important Canon—it was discussed at some length a few days ago—on the use of the Book of Common Prayer; and the proviso which I feel certain the Bishops would never receive, and which they have rejected, was the provision appended to the Canon which released all the clergy of this Church from the use of the order Morning and Evening Prayer according to the prescribed order of the Prayer Book on the greater part of the days of the year; that is, on all days except on Sundays and on the mornings of holy days for which a special service shall be appointed if those clergy thought such disuse of the prescribed order was most to edification and had the consent of the Ordinary; and it also provided that in case of emergency, of which every rector and missionary should be the Judge, they might make such omissions without the consent of the Ordinary. It seemed to me to be a most dangerous proposition; and so our fathers of the upper House have adjudged it to be. The excellent provision we have heretofore had during the whole history of this Church for all emergencies, for all necessitous cases, has been to leave the clergy of the Church to follow the dictates of their consciences and their good sense as to the necessary requirements of times and circumstances that should forbid the full use of the prescribed order of Morning and Evening prayer, they being guided and

supervised by the fatherly direction and guidance of their Bishops.

This Canon provides that, throwing aside that rule, we shall adopt another, and give full permission to all the clergy and missionaries of this Church, on the greater part of the days of the year, to violate the prescribed order of the Prayer Book, if they think it is most to edification, with, it is true, the consent of the Ordinary, except in cases of emergency. But, as I think, was shown when the Canon was before us, its great and fatal objection is, that it is irreconcilable with the Prayer Book, which prescribes by a series of rubrics, that run through the whole order of Morning and Evening Prayer, that that prescribed order shall be followed, and it must be followed of course, whenever it can reasonably be followed, whenever the necessities of time and circumstance do not obviously require some departure from it. I say, sir, it is far safer, far wiser, to leave the clergy to the discretion they have heretofore had, to the guidance of their consciences, acting as they will in the fear of God, and to the fatherly oversight and guidance of their chief pastor, than to open this wide door of irregularity and disorder. I move, instead of the resolution presented by the committee, that we concur in the message received from the House of Bishops, and adopt their resolution.

The Rev. Dr. McNAMARA, of Nebraska. Mr. President, from my experience in the western country, in several dioceses, I can say, that the reason why our churches are not more frequently opened on week days for Divine services, is the impression that we are obliged to have the entire Morning or Evening Prayer. Now, in towns, where during the winter season, it gets to be 20 or 25 degrees, below zero, where the minister is the sexton, the fire-maker, and the bell-ringer, as well as the preacher and lecturer, it probably has such an influence as to induce him to say, "Well, I will stay snugly at home by my fire; I am not obliged to have any service; and, therefore, I am not going to make up the fire, I will not open that church, and I will not clean the snow off the steps and ring the bell, and have the people come to church." I maintain, that if on holy days we were permitted to have the Ante-Communion service, just as the Right Rev. the Bishop of New York did, in conducting the services a day or two ago in St. Paul's Church, we might remain for 20 minutes, even though the mercury might be 20 degrees below zero, without building up a fire.

The Rev. Dr. PADDOCK, of Long Island. I hope before the vote is taken, it will be distinctly understood that a concurrence with the House of Bishops actually draws the lines far tighter than ever before; because the action of this House, sent up the old Canon 20, somewhat abridged, and then proceeded after making the rule more stringent as a general rule, to make some particular exceptions. They propose to strike out the exceptions, and leave the rule abridged to even greater stringency, so that it will read:

"Every minister shall" not merely "before sermons and lectures" but shall "on all occasions of public worship use the Book of Common Prayer, as the same is or may be established by the authority of the General Convention of this Church."

I know nothing as to what the Right Reverend the Bishop of New York did in St. Paul's Church on a recent saint's day, but I do know that if I were the Right Reverend the Bishop of New York (which I grant is a very inconceivable case), I could not, after reading that Canon as it stands, or as the Bishop pro-

poses to amend it, have gone there; and I think there are very many men in this House who could not, with that Canon staring them in the face, have gone there and used any other service whatsoever than (it being an occasion of public worship) the Book of Common Prayer as the same is or may be established by the authority of the General Convention of this Church. So that if we concur with the action of the Bishops, those who have no manner of conscience about using prayers of the Prayer Book just as they please, without any regard to this Canon, will of course take their own way, while those who are particular about abiding by the letter of the Canon will be tied up a little more closely than ever before. It will be understood that no report can possibly be made by this joint committee during the present Convention. I presume nobody supposes that a committee of nine is going to prepare and set out for the adoption of this House and the Upper House to adapt a Canon to about seven or eight different cases specified in the resolution. I therefore take it for granted that the old Canon, a little more stringent, remains; that three years hence those who live to come to the Convention will know what new forms of prayer we are to have for all those divers and sundry cases which really seem to require some relaxation.

The Rev. Mr. BUEL, of Albany. I wish simply to say that the Canon, as it is now proposed, as it has come down to us from the House of Bishops, is not, in my judgment, liable to the objection suggested by the excellent deputy from Long Island. I think it does not expose us to any such serious inconvenience. It is a well known liberty, a liberty declared by the House of Bishops, solemnly (and we have always regarded them as the rightful interpreters of the Book of Common Prayer), it is a well understood liberty that we enjoy to use these different services of the Prayer Book separately. Therefore, I think, with the tenderest conscience, the Bishop of New York, under the Canon, either as it is now in our Book of Canons, or as it will be if this proposed Canon that has been adopted by the House of Bishops takes its place, will be at full liberty, whenever he sees fit, to use the Order for the celebration of the Lord's Supper by itself.

The Rev. Dr. NELSON, of Maryland. I hope this House will remember that the other day, after calm and quiet discussion of this question, we determined, almost unanimously, that there should be greater liberty in the use of the services of this Church on certain occasions. Our Rt. Rev. Fathers have sent down to us a message, non-concurring; but inasmuch as I voted deliberately and in earnest on this matter, I cannot recede from my position, and therefore, I am opposed to the resolution of my friend from Albany.

I think, sir, that one of the greatest achievements of this Convention was that this Canon was adopted the other day, giving greater liberty in the use of the services of this Church on certain occasions. Will you compel us, during Lent, for instance, or on other occasions when we can assemble a few people together in the House of God, to go through the whole service to read both lessons, one of them sometimes utterly unsuitable to the occasion, and when, as now, we can select portions of the Psalms and portions of the Scriptures, and begin with the Confession, or with "Our Father who art in Heaven"? shall we go back from the position which we took a few days ago and say that we shall be constrained to keep to the old iron rule of always reading the whole service when-

ever we open our mouths to say one word in the House of God, or in the lecture-room, or anywhere else: that is called a public service?

I hope, sir, that the resolution of the gentleman from Albany will be voted down with the same unanimity with which the main proposition was voted for the other day.

Mr. CARTER, of Maryland. Mr. President, I hope that on a sober second thought this House will concur with the amendment proposed by the House of Bishops. As I understand it, the House of Bishops propose to adopt the Canon as we adopted it, except that they propose to strike out our proviso and to insert in lieu hereof another proviso.

Now, in order that the matter may be clearly understood by the Convention, let us understand what the Canon is, either without our proviso or with the proviso proposed by the House of Bishops. The Canon with their proviso is this:

"Every minister shall, on all occasions of public worship, use the Book of Common Prayer, as the same is or may be established by the authority of the General Convention of this Church; and this rule shall be understood to prohibit all additions to and omissions from the prescribed order of said book, except in the cases prescribed by section 14 of Canon 14, Title I."

The excepted cases there spoken of are the cases where the Bishops of the dioceses are authorized on extraordinary occasions to set forth special forms of prayer. If the Canon was adopted in that shape without either proviso, it would require that all ministers on all occasions of public worship should use the Book of Common Prayer as it may be established by the Church. Then we proposed a proviso:

"Provided, That on other occasions than Sundays and the mornings of those week days for which a special service is ordered, and at all times in mission stations and other places than parish churches, where the prescribed order of Morning or Evening Prayer cannot be used to edification, other services may be used, compiled only from the Book of Common Prayer; but no such deviation shall be permissible, except on emergencies, without the approbation of the Ecclesiastical Authority of the diocese."

That proviso, as we adopted it, allowed the dispensation of the Book of Common Prayer on all occasions except Sundays, and on Sundays in missionary stations, and all other but parish churches, but in parish churches on all other occasions but Sundays, it allowed the substitution for the service as prescribed by the Book of Common Prayer, of other services according to the discretion of persons using the service.

The PRESIDENT. The hour for the order of the day fixed for half-past 7 o'clock has arrived.

Mr. CARTER, of Maryland. I move to dispense with the order of the day until this matter is disposed of.

The Rev. Dr. HAIGHT, of New York. I hope the House will not consent to that. The order of the day is the consideration of the Canons on Theological Education, the most important matter we have and which we shall never get through with unless we go at them again to-night. I am very sorry to insist on it, because I was in hopes this other matter would be settled, but it is very evident that it will not be settled without more discussion, and time is very precious for the Committee on Theological Education.

The Rev. Dr. HARE, of Pennsylvania. The 5th rule of order is plain.

The PRESIDENT. There is no question about that.

Mr. CARTER, of Maryland. This is a matter which requires the concurrent action of the Bishops. If the Convention does not want to do anything with it at this session, I am satisfied, because if nothing is done we shall have the old rule with which I am content. I withdraw my motion to suspend the regular order.

The PRESIDENT. The order of the day for this hour will now be taken up.

CANONS ON ORDINATION.

The House resumed the consideration of the Canons reported by the Committee on Theological Education.

The Rev. Dr. MITCHELL, of Georgia. At the request of several Deputies, I beg to offer this resolution:

Resolved, That in the further consideration of this report of the Committee on Theological Education, no Deputy shall speak more than once upon any motion, nor longer than five minutes at any one time.

The resolution was agreed to.

The Rev. Dr. CRAIK, of Kentucky, [Rev. Dr. Haight, of New York, in the Chair.] Mr. President, by the consent of the Committee as represented in this House, I move that the House now pass by the main body of the Canons which we have been considering, to take up the last Canon of the series, Canon 9, and I make the motion for this reason: The main body of the Canons have to be considered, and verbal and other small amendments made in them, consuming a great deal of time, so that before we reach Canon 9—I hope we shall go through the whole series to-night—the House will be weary, and hardly willing to undertake the consideration of the point which I wish to bring before them. Canon 9 is "Of Lay Readers," and, although the Canon is somewhat improved by the report of the Committee upon the old form in which that subject was presented, yet I is not sufficiently so in my view of the case, and as I think, will be the view of this House, to render it proper that it should be passed in that form, and I wish to submit that whole subject to the judgment and discretion of this House now, while we are pressed to consider it. I move to take up Canon 9 "On Lay Readers."

The PRESIDENT, *pro tem*. Is it the pleasure of the House to take up Canon 9 first?

The motion was agreed to, and the Secretary read the proposed Canon 9.

The Rev. Dr. CRAIK, of Kentucky. The object of the modification which I wish to propose, is to make these lay readers a recognized and substantive sub-order, for the purpose of doing that which this Church attempted to do by a series of enactments, commencing in 1847, and I was one of the persons then who assisted in that matter, bringing down to a lower standard the third order of the ministry, the deacon, opening the door to unlearned men for the purpose of reaching that vast outlying region which the actual ministry, as then constituted, could not reach. But, as nearly every person here has witnessed, that experiment has been a failure. The deacons who were thus admitted were, to a large extent, spoiled as lay workers, and never became efficient ministers of the Church, and the whole of that experiment is regarded as another failure by all of us who have watched its progress. The demands of this age are, and the position of our Church requires, that the whole min-

istry should be of large culture, capable of meeting the educated mind of the country and the questions which, by that educated mind, are made familiar to the most uneducated people of the land. But yet there is a need for services far beyond those which the ordained ministry can supply, and by the grace of our Heavenly Father, by His good spirit moving upon the hearts of the people, a large body of men are already enlisted in this service as lay readers. In England it is being done to a much larger extent than here, and there they are set apart by a solemn public service to the work which they are capable of performing, as parochial visitors, Bible readers, and in many other ways they assist in the work of the ministry.

This is no novelty. The more we see of the exigencies of the Church, and look back to the things which the Church did in the beginning, the more we find that we can do nothing better than to go back to that primitive example, and, as the Dean of Chester told us in regard to deaconesses in the Church in the early times, the primitive liturgies show us that a recognized order of readers was a part of the ecclesiastical order of the Church in the earliest ages, and down to a much later period. And it is that we may use that agency, and use it effectually, that I would propose such modifications of this Canon as may make it a real thing.

There are two classes of these lay readers. There are men of strong, good sense, plain English education, but of no fortune, who may be employed in this work, and are employed in it in England, for a moderate compensation. Then, again, there are men of fortune, men of the highest culture in this Church and country, who would be glad to consecrate themselves and their fortune to the service of the Church as lay workers. We should use both of these agencies, and will be one of the best economies which this Church can exercise to bring them in and make them available in every possible way.

I suppose my five minutes are nearly out, and, therefore, I will state precisely the modifications which I propose. I move in section 3 to add a sub-section, to be called sub-section 3d.

"The Bishop may, at his discretion, set apart a lay reader at some public service in the congregation by special prayer and benediction, without laying on of hands."

The next amendment would be to strike out sub-section third of section four. That sub-section now reads: "He shall not assume the dress appropriate to clergymen ministering in the congregation." On the contrary I would have him not, indeed, to assume the dress of the Clergyman, but to be marked by a distinctive dress. I would insert, therefore, in place of that:

"He may use a distinctive dress other than that of the clergy when ministering in a vacant congregation or mission, or when assisting a rector or other minister in any public service in the Church."

Then I would strike out sub-sections 5 and 6, and insert as sub-section 5:

"He may aid in the parochial work designated by the rector or other minister within the competence of a layman to perform."

These amendments would leave it within the discretion of a minister or rector in the public service of the Church to call to his assistance a lay reader, not offending the feelings and sense of the congregation

by placing him up there in a frock coat or other citizens' dress, but giving him a distinctive dress, and not strain the conscience of the clergyman by compelling him, as the 6th sub-section says: "He shall not, except in case of extraordinary emergency, or very peculiar expediency, perform any part of the service when the clergyman is present." Let him do it as a matter of usual custom, thereby relieving the rector or minister from the necessity of maintaining an assistant minister for that office; who might be going far off, far away, a missionary to be at the head of another band of lay readers, planting the Church where it cannot be planted as long as we are concentrating ordained ministers in the large churches to assist in the performance of the service. Let it be the accustomed thing.

The PRESIDENT, *pro tem.* The gentleman's time is up.

Mr. MUDGE, of Massachusetts. I ask for information what the "dress appropriate to a clergyman ministering in a congregation" is?

The PRESIDENT *pro tem.* We shall come to that presently. The present question is on the amendment proposed by the reverend deputy from Kentucky. They will be read in order and taken in order. The first amendment is to insert in the 3d section, as sub-section 3:

"The Bishop may, at his discretion, set apart a lay reader at some public service in the congregation by special prayer and benediction without laying on of hands."

The amendment was agreed to.

The next amendment was in section 4, to strike out subsection 3, and in lieu thereof to insert:

"He may use a distinctive dress other than that of the clergy when ministering in a vacant congregation or mission, or when assisting a rector or other minister in any public service in the Church."

The Rev. Dr. MINNEGERODE, of Virginia. The word "may" is used in both these sections. Is it incumbent on the Bishop to set forth the service, or necessary that the reader should wear such a dress?

The Rev. Dr. CRAIK, of Kentucky. The word "may" was put in expressly to leave it discretionary.

The Rev. Dr. MINNEGERODE, of Virginia. Very well.

Mr. STINESS, of Rhode Island. I ask the deputy from Kentucky, for the purpose of making this sub-section more distinct, if he would accept, as an amendment, that the reader should wear the academic black gown? It seems to me that leaving it as it is, leaves it in a very indistinct way. It simply says "a distinctive dress," without providing in any manner for it.

The Rev. Dr. CRAIK, of Kentucky. I did not like to go into tailoring, and I thought these matters had better be left to each neighborhood and to the tastes and economies of each congregation. They can provide it admirably for themselves. We have not done it for the clergy; and if we make a uniform dress for these people, it may be very difficult for them to obtain such a dress in many cases. I think we might as well leave it all at large. There can be no harm in it. Some may wear a cassock, some one thing, some another, anything that will be distinctive. A ribbon would be distinctive for that matter.

The Rev. Dr. HANCKEL, of Virginia. I question the wisdom of all these provisions, with great

deference to my brother. It does seem to me that we are about to introduce a fourth order of the ministry, or at least we shall be understood to do so by our people. Our people are not very discriminating in these matters, and if you have a public service for setting apart this order of men, it will not be distinguished in their minds from ordination. But you have acted upon that. The wearing of a distinctive dress will go to confirm that impression; and where will stand the ruling of our Church, that those who read Holy Scripture and ancient authors, find three orders of the ministry? I vouch for it, that in a few years nine tenths of our people will believe in four orders of the ministry.

The Rev. Dr. WATSON, of North Carolina. I think no greater action is proposed in this case than in the setting apart of deaconesses by a rite, or form, or ceremony. It was not supposed they would constitute another order in the ministry. I hope the gentleman will accept an amendment, that the reader shall wear a plain black cassock. That would distinguish him. The objection of the gentleman from Virginia seems to me to have no force in it.

The Rev. Dr. JACKSON, of Connecticut. The Bishops in England have been doing this same thing for several years past, and no evil has come from it. I know that in Connecticut the lay readers in that Diocese wear the students' black gown, and it seems to be very appropriate; and I am sure it never occurred to any one that they were a fourth order of the ministry, even if they had been set apart for their work by prayer and some peculiar ceremony, without any laying on of hands.

Mr. CORNWALL, of Kentucky. I wish to speak of the difficulty suggested as to there being a fourth order of the clergy. There is, in the ancient liturgies, a prayer running in all of them, which includes all the orders of the clergy and readers and singers. They are all mentioned together,—the reader as a class in the Church. Then, going back a little further, you find the origin of the reader in the Synagogue, for any man could read in the city where he belonged, if he was competent to read and of good character. He could preach if he had been licensed by the Sanhedrim, and was competent to preach. So that, we receive the order of readers in the Christian Church from the Synagogue. Our Blessed Lord was a reader in his own city, Nazareth, and when he has done reading according to the ritual of the Synagogue and sat down, the eyes of all were fastened on Him, because he was in the attitude of one who intended to preach.

So much for the objection that a reader is a new thing in the Church. The reader comes to us from antiquity. The reader was the man who helped the ministry in spreading the Gospel through the Church, and, being instructed in old times by scribes, they had that knowledge of Scripture which was necessary, when they knew Christianity, to go out and spread that knowledge through the world. As to the distinctive dress, it seems to me proper that that should be let alone. I think that should not be obligatory, that it should be left free as it is in the amendment, because, if you make the dress obligatory, then there will be that difficulty which will prevent any modest man; and the most modest man who would be sought out usually is a better man for the work than he who seeks to thrust himself into it.

The lay readers should be organized in every par-

ish of every Diocese. The restriction which would place them entirely under the direction of the Bishop would make the order of men inefficient and inoperative. To consult with the Bishop will be out of the power of many of them. The emergency arises on Friday or Saturday of some week that a reader should hold service, and, if he does not, the Church will be closed. There is no time for consultation. This is done under the direction of the rector necessarily; it is confined to his direction.

As to the dress. I have said that I believe that ought to be free. Where lay reading has been practised for a time, a dress will be found to be comely and appropriate, but if you take and put on a dress at first, there are many places where it would be unwise. Therefore, I say that should be left just as it is in the amendment, that he may have a dress, provided it be distinctive from that of the clergy, so that there may be an outward, visible sign of the order, showing that he does not belong to the clergy.

I might enter into some remarks on the other part of the Canon, as to selecting sermons. All the sermons that are good and useful could be selected in one volume from five, adapted to use; the rest I would give away. I have sermons, some by clergymen of the English Church, some by clergymen of our own Church, and it is necessary, as I read those sermons, that I should make such alterations as a person of common sense would make, before reading them to a congregation. For instance, allusions are made to the different classes of society that are in Europe. I will mention one as an illustration. In a Book of Sermons—

The PRESIDENT. The gentleman's time is up.

The Rev. Mr. MINNEGERODE, of Virginia. The subject which has been brought before us by this 9th Canon is, perhaps, more important than any of the Canons which have been brought up in connection with the Theological education of our ministers; for, if I understand the signs of the times, the great subject before the Church is lay co-operation; and as far as my experience, especially within the last five or ten years, extends, I do not know of a more important matter in the parochial work than to enlist the sympathies of the laity.

I trust it will not be considered egotistical on my part if I say that in my Church, and in the churches in Richmond under my control, as the President of the Society, there are at least one hundred young men in that small town (for small it is when compared to Baltimore, New York, and other towns), who are doing the work of the Church. I think we ought to distinguish between what I might call the parochial work of these men and the Sunday work of lay readers. The parochial work of these lay men is in a great measure to visit the poor and the sick, to hunt up cases of interest, on account of their physical and temporary wants, or on account of their spiritual necessities, and report them to the minister, to go in his name, and pray with the sick, have sermons which they may read to them, and other things of that kind. For all these services it is not necessary that there should be a distinct dress; but in many of our parishes we are obliged to have lay readers during the ordinary services of the Church, and I believe that most of our congregations would like to see the lay reader in the desk during the ordinary service of the Church, "decently

habited," as the Prayer Book has it; that is to say, wearing at least a gown. I am perfectly willing that the resolution which was embodied in that report of the five Bishops should be adopted in regard to lay readers; not making it compulsory, but it should be allowed by the vote of this Convention that such lay readers, on such occasions, may be permitted to wear a gown.

Now, with regard to special ordination, I have my doubts. I think those who are most usefully engaged in the work, in the regular services of the Church, might well be appointed by some religious service to that work; but for the large share which we expect the laity to do—and I think it is the universal voice of the Church that the laity should do that work, and come up to the help of the clergy in bringing the Gospel to the lowest and poorest, reaching places which the minister can hardly reach, and helping the minister to go to the furthest extent of his ability, by bringing him the necessary information—it is not necessary that the laity who are engaged in this manner, in a work so kindred to the ministry, should be ordained. I take it for granted that every baptized, confirmed, and communicant member of this Church may look upon himself as a missionary for Christ, and an auxiliary to the rector of his Church, and therefore it is not necessary for these purposes that there should be an especial ordination or appointment. There are a great many Churches in Richmond, for instance, for the size of the place; but there is not one supernumerary. I have to administer the Sacrament once a month, and frequently to four hundred people, generally without an assistant at all.

The PRESIDENT *pro tem.* The gentleman's time is up.

The Rev. Mr. LEE, of Kansas. I am very much pleased with both of the features that have been introduced by the Deputy who has offered these amendments; but the one under consideration, I beg to suggest, is liable to certain objections. In the first place, is it necessary to legislate that the lay reader may use the student's gown, when the Reverend Deputy from Connecticut has informed us that lay readers in that Diocese have already been using the black gown for some time past, without any regulation on the subject? If it may be done without any special legislation, I suggest that we had better leave it to the convenience and taste of different times and places and parishes, without legislation. If we specify specially in this Canon that the lay reader shall or must wear this gown, or whatever this special garment may be, it will lend some color to the idea already too common among the laity, that a man cannot open his lips for Christ and the Gospel of the Church, unless he has some special garment upon his shoulders. For my own part, I wish I could limber up our Church machinery a little, and let every layman come in and work, and wherever they may be, even in the Church, when they are doing these lower offices of the ministry of the Church, allow them to do it without being ordained, without being required to wear a clerical gown.

I was proud, on last Lord's Day evening, to see a noble layman of this Church stand there in that Chancel and deliver one of the most thrilling missionary addresses I ever heard, and that without any

gown upon him. I wish we might have more of this.

While this might do very well in towns and certain places, there are many portions of our Church and our country where it would interfere seriously with the employment of this kind of lay labor. Many men of good common sense and sound education, who would be willing to stand up as laymen in proper citizen's dress, and speak seriously and earnestly to their fellow-citizens and fellow-men, if you were to attempt to put a clerical garment upon them, would feel themselves out of place. They are not ordained; they do not claim to be anything but Christian laymen; and if you begin to put this upon them they will feel themselves out of place and decline the service altogether.

Therefore, I suggest that this matter be not embarrassed with any appendage of this kind with regard to garments. If in any place it is found conducive to the usefulness of the lay reader's office, and according to the taste of the people, that he shall wear a gown, let it be introduced without law, as we have seen evidence that it has been introduced without law.

The Rev. Dr. MORSELL, of Delaware. Before the vote is taken, I should like to inquire something about the nature of this dress. In the report of the Bishops in regard to the dress that should be worn by ministers, I believe they said the surplice was to come down to the feet. What kind of a dress is this to be? How far is it to come down? Down to the ankles! What is to be the color of it,—black, blue, or green? Possibly these gentlemen might have the right to wear the chasuble or alb, and other things that some gentlemen have spoken of. It might possibly help us if some of the gentlemen conversant with ecclesiastical millinery would get a pattern of of the cloak that Paul left at Troas, or, if they could get a pattern of the kind of garment in which Philip preached, and which the other laymen of Scriptures used. While we are about it, why not extend this matter to choristers and the ladies singing in choirs? Why not have a kind of dress for all persons engaged in religious observance? Why not resolve this body into a grand committee of ecclesiastical regalia, and have the whole question settled and have everybody "decently habited." [Laughter.] I cannot, for the life of me, see why we are so particular about the garments of laymen.

Then another question is, who is to pay for these things? Will the vestry provide funds? Will it be done by ladies' aid societies, or will it be done by the unwonted liberality of the gentlemen themselves figuring in these new garments and inviting the admiration of all, male and female? [Laughter.] I know there are some lay readers who would never enter upon the order if the expense of dress was to be taken into consideration.

But, sir, to treat the subject in a more serious manner, there are many of our lay readers who would never wear this dress, and who would be prevented from acting as lay readers by the very fact that they were required to wear it. Sir, the American people are not to be humbugged in this way. It seems to me that the whole matter is beneath the dignity of ecclesiastical legislation, and, in my opinion, if the President of this Convention has left his

Chair only for this purpose, he might, with a better grace, have kept it.

The Rev. Mr. DUNLOP, of Missouri. Mr. President, no subject has been discussed by this House that fills my soul with such enthusiasm as this. It is a most serious subject,—the question of introducing missionary laymen to aid in the spread of the Gospel. There is a common impression in the minds of men that the spread of the great Methodist body all over this land so rapidly was owing to the fact that they preached a popular Christianity; but men who have lived in the West in modern times, have found another society, founded by Mr. Campbell, which has grown as rapidly or more rapidly, preaching a doctrine diametrically opposite. The growth of these two bodies has been occasioned by the fact that they have used the lay element. Every man who became a professor of Christianity in them, became an evangelist to spread still further the light which he felt burning in his own soul.

There is no danger of men engaged in such work being confounded with those engaged in the sacred ministry. A congregation which would so confound them needs to be instructed a little more. If the pastor understands what the nature of the ministry is, he will not confound a lay reader with one ordained to administer the mysteries of God.

With regard to the proper garment to be worn, it is not a joke, but it is a most serious thing. Why is the surplice used in the Church of God? Does any man believe that there is any sacred power with regard to any ecclesiastical garment? It is to cover up, as has been well said, the change in the vanities and fashions of this mortal world. It is that a man shall not stand in the chancel to show the cut of a new coat, so that people may make remarks on his dress. If it was not beneath the dignity of the occasion for Jehovah Himself to prescribe the dress in which the priests should minister before God in the ancient Church, it is not beneath the dignity of the occasion now, that there shall be a prescriptive rule that men shall be decently habited when coming to minister before the Lord.

I trust this proposition will pass, and that we shall obtain some earnest laborers, acting under the direction of presbyters or the Bishop of the Diocese, to spread the light of the Gospel where now men, very ignorant of sacred things, are attempting to deliver sermons on the mysteries of our holy religion. There is no system of Christianity in this land so well calculated to meet the popular wants, as that Church founded upon the apostles and prophets, of which our Lord Himself is the chief corner-stone.

I will say, with regard to this work, that my own parish, one of the most vigorous parishes in the West,—and I can say this, because I did not found it; it was founded by a layman—that parish had forty-five communicants, a stone church worth \$15,000, and no single dollar of debt upon it, and all that work was done by a layman; and I say here, I have not seen one single solitary spot on the American Continent where the Church is so strong, as in that parish where I minister. It was not done by me; it was done by a noble layman, who reads as impressively as half the clergymen on this floor. He knows his place. He acts in his place. If he had not laid that foundation, I should have to-day about three or four communicants where I have one hun-

dred and twenty, and the parish which now gives \$3,000 a year to the spread of the Gospel, would be a weak missionary station.

I trust, sir, that this measure will pass as a measure containing power for the Church. It has in it the true principle.

The amendment was agreed to.

The SECRETARY read the next amendment, which was to strike out subsections 5 and 6 of section 4, and to insert as subsection 5:

"He may do any parochial work designated by the Rector or other Minister within the competence of a layman to perform."

The amendment was agreed to.

The Rev. Dr. MITCHELL, of Georgia. I think, perhaps, another amendment may be necessary. Nothing is said in this Canon with regard to a limitation of the Commission. It may be,—I am not informed,—inherent in the power of the Bishop to recall the Commission at any time; but, to guard against trouble in that respect, would it not be well to add this section at the end:

"The Commission authorized by this section may be revoked at the discretion of the Ecclesiastical Authority."

The Rev. Dr. CRAIK, of Kentucky. I have no objection to that, so far as I am concerned. I think it will do very well.

The amendment was agreed to.

The Rev. Dr. AYRAULT, of Central New York. I desire to bring to the notice of the House the 2d sub-section of this Canon, which reads:

"He shall not use the Absolution, nor the Benediction, nor the offices of the Church," &c.

I should like to learn from the Chairman of the Committee what is to be understood by the "Offices of the Church." In my own practice I have never allowed a lay reader to use the ante-Communion service, but simply expect him to use the Morning and Evening Prayer, omitting entirely the ante-Communion service. If it is thought best that this provision should be made by Canon, I suggest the following amendment:

"In conducting the public worship he shall use only the Morning and Evening Prayer of the Church and the Litany, but shall in no case pronounce either the Absolution or the Benediction."

The Rev. Dr. HARE, of Pennsylvania. With regard to that matter, I had always supposed before, although I knew there was a difference of opinion about it, that there was nothing to hinder a lay reader from using the ante-Communion service. I understand, however, and this is hardly deniable, that if section 4, sub-section 2 shall be passed, the lay reader can no longer read the ante-Communion service. But would it not be better for us to finish the matter which has been before the House until within the last two minutes? I was about respectfully to call the attention of the House to the fact that, in striking out sub-section 6, page 32, they seem to have necessitated the striking out on page 14 of the equivalent passage. I refer to page 14, section 4, sub-section 5:

"Such candidate shall not, except in case of extraordinary emergency or very peculiar expediency, perform any part of the service when a clergyman is present."

As the equivalent language has been struck out in the 9th project of Canon, if it be in order I move to strike out sub-section 5 of section 4 of Canon 3.

The motion was agreed to.

The Rev. Dr. AYRAULT, of Central New York. Now I beg to call attention to my amendment, if it is in order. It is very desirable that this matter should be distinctly defined, for I know there has been great uncertainty and confusion in regard to it.

The Rev. Mr. BUEL, of Albany. I suggest to my reverend brother from Central New York that the first sub-section of section 4 seems to make the necessary provision.

"The lay reader so appointed shall be subject to any regulations prescribed by the Bishop or ecclesiastical authority of the diocese."

I think it would be well to leave these points to the discretion of each Bishop.

The Rev. Dr. AYRAULT, of Central New York. I think there is a question of principle involved. It seems to me, to say the least, highly indecorous that a gentleman of the laity, zealous and earnest though he may be, should be expected to assume the position of one who is properly in Holy Orders.

The PRESIDENT *pro tem*. The question is on the amendment of the gentleman from Central New York, to substitute for section 2 of sub-section 4 the following:

"In conducting public worship he shall use only the Morning and Evening Prayer of the Church and the Litany, but shall in no case pronounce either the Absolution or Benediction."

The Rev. Mr. Magill, of Indiana. I think that is provided for in sub-section 2, as it stands. If I understand it, the Communion service is an office, and it is so called, the Communion Office. Therefore it is one of the offices which are mentioned as not to be used by laymen.

Mr. WELSH, of Pennsylvania. I should like to understand whether it is intended to exclude the laity under all circumstances from using the ante-Communion service?

The PRESIDENT *pro tem*. Yes, sir.

Mr. WELSH, of Pennsylvania. In many Missionary parishes on one Sunday they have the Morning Prayer and Lessons, and on the following Sunday they have the Litany and ante-Communion service. This amendment, I understand then, is to exclude them from that arrangement.

The PRESIDENT *pro tem*. It would.

The Rev. Dr. CLARK, of New Jersey. Is there any need of loading our Canons so heavily that they will be very likely to burst on the first application of them? I thought, and still think, we had a very sensible Committee on Canons, and I supposed that references were made to that Committee to save us this sort of work. We have Bishops who have some common sense. We have clergymen who are likely to conduct themselves, decently habited as they may be ordered to be, or not habited as they may order to be, and it does seem to me entirely unnecessary for us to legislate so continually about these matters, of very small consequence in themselves, and which practically will have very little bearing upon the actual work which these gentlemen may do as lay readers.

The Rev. Dr. WATSON, of North Carolina. As the case now stands, the lay reader would be prevented from using the burial service if that is left out of this sub-section.

The PRESIDENT *pro tem*. No provision is made for it.

The Rev. Dr. AYRAULT, of Central New York. I do not understand that. Any person can use that. It is used by captains of vessels at sea, and it is open to anybody to use it.

The Rev. Mr. ROGERS of Texas. I wish to give the House a statement of a single circumstance as it now exists. There is to-day in one of the principal churches of a diocese a lay reader performing the services of the Church, so far as he is entitled to perform them, week days and Sundays, burying the dead, visiting the sick, holding the services that are held in that church, wearing the black gown that belongs to the colleges, with the consent and advice of the Bishop. It is for the reason that a clergyman cannot be obtained there. One of your Deputies would not be here to-day, were it not that a lay reader is entitled to take his place and bury the dead in his parish and perform his duties. It is acceptable to that people. I do not believe it would be acceptable, however, if he were denied the privilege of wearing the black gown, or if he were not allowed to bury the dead. I am very much in favor of this proposition as it has come from the gentleman from Kentucky. I should be very sorry to have anything done that would cut off some of the principal parishes of some of our dioceses from holding services during six weeks, perhaps, when the General Convention is in session; and for five years the same work has been going on in different parts of the year whenever that clergyman has been absent or sick.

The Rev. Dr. WILSON, of Central New York. I was about to ask if my friend from Central New York would not accomplish his object better by amending the section as it stands, by adding after the word "benediction" the words "nor the ante-Communion." That will accomplish his object and leave the express provision for the offices named in the article.

The Rev. Dr. AYRAULT, of Central New York. I have no objection to that. I accept it very cheerfully.

The Rev. Dr. WILSON, of Central New York. The amendment is to strike out the word "nor" after the word "absolution," and after the word "benediction" to insert "nor the ante-Communion service."

The Rev. Dr. VINTON, of Massachusetts. The proposition which the gentleman from Central New York has just made in a negative form, I was prepared to make in a positive form, that these lay readers shall have permission to read the ante-Communion service. The ante-Communion service is not really one of the offices. If the Communion service be an office, as it certainly is, this is *ante* that office. There is nothing in the nature of that service which is specially priestly, or which a lay reader may not undertake to set forth as well as anything else. If he reads the Ten Commandments, and they have a magisterial look, so in the course of the Lessons he reads those same Ten Commandments. If he reads what is called the Evangelical Law, the law of Christ, to love God supremely and our neighbor as ourselves, even that he reads in the Lesson. He assumes no more authority then in that part than he does in any other and there is this clear advantage, it seems to me, in giving allowance to it; namely, that if he is supplying a vacant parish for any length of time, the people will be better satisfied to have the whole of our Church service performed than to have it broken up. We would complain of a clergyman who should omit the ante-Communion service. We say we do not

want a garbled service presented to the ears of the people. Now, in a parish which is habitually, though only for a time, and it may be for five or six months, under the charge of a lay reader, the people fail to hear the whole morning service, and in new parishes, Missionary stations, and elsewhere, they fail thus to become acquainted with the services of the Church; they hear it only in part, and cannot hear it otherwise. Since there is nothing priestly, nothing specially official in the ante-Communion service, nothing but what the lay reader will have to say in other parts of it, and since it is so important to the general idea and purpose of presenting our service in its integrity, I hope that an amendment will pass that the ante-Communion service shall be included in these permissions rather than excepted.

Several Deputies. Move that amendment.

The Rev. Dr. VINTON, of Massachusetts. Would it be in order?

The PRESIDENT *pro tem*. An amendment to the amendment would be in order.

The Rev. Dr. VINTON, of Massachusetts. Can I put this amendment on the top of the negative proposition?

The PRESIDENT *pro tem*. I think it would not be in order to do that. We must first take the question on the pending amendment.

Mr. STINESS, of Rhode Island. I beg the attention of the House to this as supplementary to the remarks of the Deputy from Massachusetts. The rubrics of the Prayer Book with reference to Morning and Evening Prayer, provides for "the minister" reading. When it comes to the Absolution then it provides for "the priest." In the ante-Communion service the rubric reads "and the minister standing at the right side of the Table, or where Morning or Evening Prayer are appointed to be said," evidently intending that the ante-Communion service may be conducted in the same place, and, by using the term "minister," by the same person who uses the Morning and Evening Prayer. Then when we go further on in the Communion service, where the alms are received, it refers to "the priest."

Now, I have simply this suggestion to make in reference to lay readers. If a person as a lay reader is for a time supplying a parish, it seems to me that the parish will lose much of its Church teaching unless the order of the Christian year, as provided by the Church, can be provided for the parish. It seems to me that the very teaching which the Church has provided in this round of service for the Christian year is worth vastly more than the sermon which the lay reader may read afterwards.

And in reference to this, permit me to suggest a case which has come within my own knowledge in the diocese which I have the honor to represent. There was a parish in our diocese for a long time supplied by a lay reader, who did not read the ante-Communion service. The parish got so accustomed to the short service in the forenoon that for many years they refused to allow their clergyman, rector of the parish though he was, to read the ante-Communion service even on Sunday. It seems to me that our lay readers in that particular would be educating our parishes in a bad way. As the learned Deputy from Massachusetts has already suggested, I see nothing that would prohibit the lay reader from using the ante-Communion service, and the Christian culture which it would give to the parish would

be a vast benefit. I hope, therefore, that his motion will prevail.

The PRESIDENT *pro tem*. The question is on the amendment of the Deputy from Central New York, in section 4, sub-section 2, to strike out the word "nor" after "absolution," and after the word "benediction" to insert the words "nor the ante-Communion service," so as to read:

"He shall not use the Absolution, the Benediction, nor the ante-Communion service, nor the Offices of the Church."

The amendment was rejected.

The Rev. Dr. VINTON, of Massachusetts. I now offer the amendment that I suggested, to insert after the word "except" in line 3, the words "the order for the administration of the Lord's Supper to the end of the Gospel."

The amendment was agreed to, there being, on a division, ayes 84, noes 77.

The Rev. Dr. HARE, of Pennsylvania. I move that we now return to the Canon of Examinations at the foot of page 15, where we left off some days ago.

The motion was agreed to.

The PRESIDENT *pro tem*. The Secretary will resume the reading of Canon 4, section 2 sub-section 1.

The Rev. Dr. NORTON, of Virginia. At the suggestion of those connected with this matter, who have a right to speak, and who have asked me to make the motion, I should like to move an amendment to the first section, which will excite no debate. It is to add to the first sub-section of the first section, these words:

"And that it be recommended to the several dioceses to make provision, so far as practicable, for the compensation of services rendered by presbyters who may be appointed to act as Examining Chaplains of candidates for the ministry."

This is not obligatory, but a mere recommendation, and it is thought by the friends of these Canons, will be very valuable.

The Rev. Dr. HARE, of Pennsylvania. I second the motion.

The amendment was agreed to.

The SECRETARY resumed the reading of the amended Canons reported by the Committee, beginning with Canon 4, section 2, sub-section 1.

The Rev. Dr. WILSON, of Central New York. I should like to ask if we had better not, as we go along, provide for the change of the words "Board of Examiners" to "Examining Chaplains," in accordance with the change we have already made.

The Rev. Dr. PADDOCK, of Long Island. In order to cover the whole ground, I move that the Committee be instructed wherever the words "Board of Examiners" occur to change them to "Examining Chaplains."

The motion was agreed to.

The SECRETARY continued the reading down to the following sub-section:

§ II. [1.] An examination of literary qualifications of a postulant or candidate shall extend to his knowledge of English language and literature, and at least the first principles and general outlines of logic, rhetoric, mental and moral philosophy, physics and history, the Latin and Greek languages, and any other he may have studied.

The Rev. Dr. WATSON, of North Carolina. I should like to know whether the postulant is to be

examined in the Spanish, Italian, Cherokee, or any other language, under this section?

The PRESIDENT *pro tem.* If he has studied it, he is to be.

The Rev. Dr. MITCHELL, of Georgia. Suppose he has studied ten or fifteen languages, must he be examined in them all? It may be requiring of the Examining Chaplains more than they are able to do.

The Rev. Dr. HARE, of Pennsylvania. To save time, I move to strike out in the first subsection the closing words, "and any other he may have studied."

The amendment was agreed to.

The SECRETARY resumed the reading of the Canon, and read the following subsection:

[6.] At either or all of the examinations, the Board of Examiners may, and at some one of them, at least, shall, subject the Candidate to such proof of his ability to perform the Service of the Church in an edifying manner, and to deliver his Sermons with propriety and devotion, as shall fully satisfy them of his competence for the public duties of the Holy Ministry.

The Rev. Mr. CURRIE, of Rhode Island. I should like to hear what is the special reason for the use of the word "devotion" as applied to the delivery of sermons.

The Rev. Dr. JACKSON, of Connecticut. I was just going to ask that question myself, whether the word "effectiveness" would not be a better word.

The Rev. Dr. HARE, of Pennsylvania. For the purpose of saving time I move to substitute the word "effectiveness" for "devotion."

The Rev. Dr. BURGESS, of Massachusetts. The word "devotion" is the old word that we have all been brought up in. I should like to have that remembered.

The amendment was rejected.

The Rev. Dr. PERRY, of Western New York. Cannot we get rid of the word "perform" the service? I suggest the substitution of the word "conduct" for "perform."

The Rev. Dr. HARE, of Pennsylvania. I second that motion.

The amendment was agreed to.

The SECRETARY resumed the reading of the Canon down to subsection 2 of section 5, of Canon 4, as follows:

[2.] In cases of Candidates having Dispensation, whether from the knowledge of the Hebrew language only, or from Latin, Greek, and Hebrew, and other branches of learning not strictly ecclesiastical, the first examination shall extend only to the knowledge of the text and interpretation of the English Bible, with such other matters as are comprised in what are commonly known as Introductions to the Holy Scriptures.

The Rev. Dr. HALL, of Long Island. I think, on a moment's thought, the acting Chairman will take notice that there is a possible difficulty in the clause, "whether from the knowledge of the Hebrew language," &c. The party comes before the Examining Chaplains and says he has been excused from a knowledge of the Hebrew language, and, therefore, according to this, required to be examined on only the English Bible, and so on. Inasmuch as on page 9, that matter of Hebrew is satisfactorily settled, I respectfully move to strike out in the first and second lines of this subsection, the words, "whether from the knowledge of the Hebrew language only or."

Then he will be examined only on the English Bible, and on page 9, subsection 5, you will notice the Hebrew matter has been entirely disposed of, so that there can be no danger by striking that out.

The amendment was agreed to.

The SECRETARY resumed the reading of the Canon.

The Rev. Dr. BURGESS, of Massachusetts. Before going to subsection 4 of section 6, I should like to call the attention of the Convention to the fact that a principle of some importance is introduced in this new subsection 2. It is that the Bishop may assign to any presbyter the duty of presenting one or more of the candidates for ordination. I fear that the passage of such a section as this will be somewhat against the Ordinal of the Church as contained in the Prayer Book. The Prayer Book certainly goes on the supposition that any candidate may come with any presbyter, and that that presbyter may present him; that it is between the candidate and the presbyter to accomplish the presentation; it is not between the Bishop and the presbyter; that the candidate is not to wait until the Bishop shall prescribe some person who shall bring him forward and present him, but the candidate has a certain right in the matter. It will easily be seen by the Convention that if the Bishop saw fit to prevent a candidate from coming at all and applying for ordination, he might do it by not assigning to any presbyter this duty of presenting him, whereas, as it stands now in the Prayer Book, a candidate may come at a proper time with his presbyter, and present himself. Then the Bishop, if he please, may, for reasons, refuse to ordain him, but the refusal cannot take place at an earlier stage. It seems to me that that is a principle which must be considered before we go hastily into the passage of such a section as this. I should like, on that account, to hear something from the acting Chairman of the Committee on this subject.

The Rev. Dr. HARE, of Pennsylvania. I have nothing to say, except that I believe it is the almost universal practice for the Bishop to assign to some presbyter the duty of presenting a candidate, and we took up the practice as it existed.

The Rev. Dr. BURGESS, of Massachusetts. Then I will continue to say on that subject that there has occurred in various dioceses a difficulty with reference to that. There has been a conflict in two or three instances between presbyters and the Bishop, and there have been instances in which presbyters have come into examinations and disturbed the examination by the examining chaplains on the ground that to them had been assigned the duty of presenting the candidate, whereas the candidate had already arranged with one of the examining chaplains to be his presenter, so that the custom is not so universal. I should like very much to have that stricken out, but I do not wish to propose it against the desire of the acting Chairman.

The Rev. Dr. HARE, of Pennsylvania. I will second it.

The Rev. Dr. NELSON, of Maryland. Will the gentleman from Massachusetts tell us where he finds that in the Ordinal?

The Rev. Dr. BURGESS, of Massachusetts. I do not say there is anything distinctly in the Ordinal declaring it, but the Ordinal goes on the supposition that the presbyter who comes with the person is any presbyter, and that I may bring my son or my nephew or my friend and present him to the Bishop for ordination; that it is my right to do so. I move to strike out that subsection.

The motion was not agreed to.

The SECRETARY resumed and concluded the reading of Canon 4.

The Rev. Mr. RICHARDSON, of Texas. Before proceeding to the consideration of Canon 5, I should like to propose the following additional section to Canon 4:

§ XI. It is hereby further provided, that in case of great emergency, where the regularly appointed examining chaplains are, from any cause, unable to conduct the above prescribed examinations, or any of them, the Bishop may make

such provision as he shall see fit for any or all of such examinations.

The Rev. Mr. GILLESPIE, of Michigan. Certainly there will be difficulty in large dioceses where the number of presbyters is small, unless some such provision as this is made.

The Rev. Mr. RICHARDSON, of Texas. I stated the other evening the peculiar difficulties in the way of obedience to this Canon in my diocese, from the very circumstance which the gentleman from Michigan has mentioned, of immense territorial distances and the lack of facilities of travel, so that not only shall we have difficulty to get a sufficient number of clergymen who are presbyters in good standing—"learned presbyters," I believe, the expression is—to constitute a Board of examiners at all, who shall not be members of the Standing Committee, although I believe the Canon does not specifically say that the members of the Standing Committee shall not be eligible as members of the Board of Examiners, but without taking members of our Standing Committee it will be almost impossible to get a Board of Examiners at all, and if we get a Board of Examiners we shall still have the difficulty of bringing that Board together, and also of bringing the candidate before the Board. For that reason I hope the House will grant us this saving clause, by which we shall be enabled to accomplish something in the way of preparation of candidates for orders and the admission of candidates into the Holy Orders of the Church in our Diocese.

The Rev. Mr. MARPLE, of Pennsylvania. It seems to me the effect of any proposition of this kind will be simply to destroy the very purpose for which examining chaplains are appointed. Very frequently it happens that a young man living two or three hundred miles from the residence of the Bishop desires to be ordained near his own relatives, and very urgent appeals to the Bishop are made to that effect. If traveling is to be done by somebody, why should not that traveling be done by the person to be admitted to orders? Let him go near where the Bishop is to be found. Less traveling will thus be required. The examining chaplains can very readily act there, and the very purpose for which they were appointed will not then be interfered with in any way. For that reason I shall vote against this amendment. I think it will make more trouble for the Bishops than it will do the Church good.

The Rev. Dr. HASKINS, of Long Island. I ask if the examination cannot be conducted by writing in such cases?

The Rev. Dr. HARE, of Pennsylvania. I am very much obliged to my reverend brother for that question, because the Committee regard this Canon about examinations as vital to our project. It has been largely emasculated by the action of the House. I do not reflect upon the wisdom of that action, but that action has already taken much of the nerve out of it. If this amendment offered by my reverend brother from Texas should pass, the whole nerve will be taken from it. We have long had a check upon the Bishop so far as regarded the character of a postulant, in the Standing Committee; they must give their testimonial; but we have had no check upon the Bishop whatever as to the learning of the postulant in the matter of his examination. Unless we can have a Board of Examiners holding their offices for good behaviour, a Board independent of the Bishop, this Canon of examinations will amount to very little. I trust that the amendment offered by my brother from Texas will not pass. I know that great hardships will be involved if the Canon is passed as it is. We all felt that in Committee; but one argument was that the need of the Church now is a great one; we must provide a general law; and even though this, like other general laws, work particular hardships, it is expedient that one man should die for the people and that the whole nation perish not.

The amendment was rejected.

The Rev. Mr. BUEL, of Albany. The learned gentleman who has charge of this subject has told us that we have pretty effectually emasculated this Canon. Perhaps we have injured it. I fear as it now stands it is not in harmony with itself. I believe the House refused to instruct the Committee to change the words "Board of Examiners" to "examining chaplains" throughout the Canon.

The SECRETARY. That is recorded as passed.

The Rev. Mr. BUEL, of Albany. Then I should like to make a suggestion in that regard, partly from my feeling of profound respect for the man who drew up this Canon. I know from personal conversation with him that the title given to these examiners in the Canon, as it was printed, was deemed preferable by him. It is true the title "examining chaplains" is the title given to these officers in our mother Church; but I think there is among us in the American Church a tendency to be too hasty in adopting the titles

of office from the Church of England. I propose, therefore, that we amend the first subsection of the first section, so that it will read: "In each Diocese there shall be a Board of Examiners for Holy orders."

The PRESIDENT. That is out of order. We have passed over all that ground and have come to the end of the section, and, according to the rule under which we are acting, that ground is no longer to be trod over again. You can move to reconsider, of course.

The Rev. Mr. BUEL, of Albany. I did not entirely finish the suggestion I was going to make, but I do not wish to be speaking out of order.

Mr. AMORY, of Massachusetts. Before we proceed any further, I move a reconsideration of the vote whereby that change was made, with a view to return to the original expression in the printed report, "Board of Examiners."

The Rev. Mr. MCKIM, of Delaware. I beg to ask whether the change in the original Canon was not made at the instance of the gentleman from Albany himself?

The Rev. Mr. BUEL, of Albany. It was not at first suggested by me, but I adopted it in lieu of the amendment that I proposed, and I now make the suggestion to return to the original language of the Canon.

The Rev. Dr. HARE, of Pennsylvania. Is it allowable when the motion is for a reconsideration, to state the reasons why the Committee proposed this language which has been by a previous vote rejected?

The PRESIDENT. Certainly; on the motion for reconsideration the whole matter can be argued.

The Rev. Dr. HARE, of Pennsylvania. Well, sir, it seemed to us that if the Canon stood as it was proposed to stand on page 15, the Church would have standing out before it a permanent invitation to its men of property to furnish funds for the compensation of examining Chaplains. There is no doubt whatever that it would be most difficult to get learned presbyters to give the time proposed in this project of Canons, to examinations. Such men have their time largely occupied. It is unfair to expect it of them unless you offer them some compensation. But let it stand on your Canons that there may be compensation provided for examining Chaplains, (compensation provided by the diocese, of course, and not by the persons to be examined,) and there will be individuals of the laity strongly enough impressed with the importance of having suitable men for examiners to contribute funds; only they may very naturally say, "If we are to be taxed let us be represented in this matter of examiners;" and therefore the proposition that when funds are raised to compensate examiners, the lay element existing in the Standing Committee shall have some voice in desiring who the examiners shall be.

I think I could this night point to persons within this House who, if this Canon were passed as it stands, would contribute for this important purpose of securing for the work of examination presbyters capable, learned, and used to the work of examination, out of whose hands candidates could not slip. That fact would soon come to be known to candidates, and examinations would cease to be looked forward to by them with contempt.

The PRESIDENT. The question is on the motion to reconsider.

The Rev. Mr. FARRINGTON, of New Jersey. I should like to ask when this previous vote was taken; on what day? I think our rules require that a motion to reconsider shall be on the day, or the succeeding day to that on which the action was taken.

The PRESIDENT. That is true.

Mr. AMORY, of Massachusetts. I will make my motion specific in this form: That we reconsider all the amendments that have been passed in this Canon which we have been considering to-night, on examinations.

The PRESIDENT. I do not think you can get it in that way. It is too late to move a reconsideration.

The Rev. Dr. McNAMARA, of Nebraska. I inquire if the gentleman from Massachusetts voted in the affirmative?

The PRESIDENT. It is too late, at all events, for a motion to be made to reconsider the first section of Canon 4.

The Rev. Dr. BURGESS, of Massachusetts. I would call to the mind of the Secretary, what seemed to me very plain, that this evening we did reject precisely such a motion as changing "examiners" to "examining Chaplains." When Dr. Haight was in the Chair, it seems to me that motion was made, and was declared rejected; so that there are several places in the Canon upon which we have acted to-night, and Mr. Amory's motion would apply to those places at least, if not to the first section.

The PRESIDENT. If the House are determined to go back, they can go back by some means or other, I presume.

The Rev. Dr. BURGESS, of Massachusetts. I was very much impressed by the remarks of the gentleman who has this report in charge. That is the only reason I had for going back.

Mr. MASSIE, of Virginia. I suggest that we can remove the difficulty very easily. When we go through the amendments the whole Canon must come up and it will be competent for any member to move to amend it in any way. There is no difficulty about it. This was simply a device adopted by the House to enable us to get through the amendments.

Mr. KING, of Long Island. We understood that the question of "examining Chaplains" was settled, and we want to go forward.

The PRESIDENT. Is the House ready to enter on Canon 5? ["Yes, sir."]

The Secretary read the proposed Canon V., and also the proposed Canon VI., as far as section 4.

The Rev. Dr. NELSON, of Maryland. Before the Secretary goes further, I call attention to the fact that we altered this language in the previous part of the report, and I ask the Chairman of the Committee if he has any objection to having the same alteration made here as was made on page 11? I think the vestry should be required to be in session. Every body knows what the reason for this is. The vestry in session is quite a different thing from a few individuals, or seven or eight individuals scattered here and there.

The Rev. Dr. HARE, of Pennsylvania. The only objection I have to that is, that this is not new matter, and according to our rule we are not to enter into any thing but new matter.

The Rev. Dr. NELSON, of Maryland. That is very true, but we ought to make this correspond with the other page

The Rev. Dr. MEAD, of Connecticut. Let me state one difficulty. It is not an uncommon thing for a Standing Committee to have testimonials presented as signed by a vestry, and yet no certificate that they were called together according to the Canon as to the requisites of a quorum, and therefore that ought to be inserted. We have frequently had to put candidates back for three months, from one stated meeting to another, on account of that defect.

The Rev. Dr. HARE, of Pennsylvania. My venerable brother, I think, was not here the other night, when the House decided, that when the matter was merely a reproduction of what was in the present Canons they would pass on, and at the close entertain projects for improving the matter.

The Rev. Dr. MEAD, of Connecticut. I have no objection to that. All I want is that it should be in for the sake of the candidates.

The Rev. Dr. HARE, of Pennsylvania. While I am on my feet I may be permitted to state, as to the matter from page 23 to page 25, where the 6th section of Canon VI. begins, is altogether old matter.

Mr. WITHERS, of Virginia. Then I move that the reading of that be dispensed with.

The PRESIDENT. That will be done by general consent without putting the motion.

The Rev. Dr. HALL, of Long Island. I move the rule requiring an adjournment at 10 o'clock be suspended, and that we continue in session until these Canons are disposed of.

The motion was agreed to.

The Secretary read sections 6 and 7 of the proposed Canon VI.

The proposed Canon VII. being the present Canon VI. "Of Deacons," the Secretary read Canon VIII., "Of the Ordination of Priests."

Mr. KING, of Long Island. I move now that the Canons as amended be adopted.

The Rev. Dr. NELSON, of Maryland. Now is the time for the amendment which I suggested, and which Dr. Hare is kind enough to accept. I request that the same amendment which was made on page 5, with the consent of this House, be made now on page 24. This House adopted, the other day, a provision that every vestry, when it gave a certificate, should have been duly convened. All that I ask is, that where similar language occurs on page 24, the similar correction be applied.

The PRESIDENT. The gentleman from Maryland will be so kind as to notice that there is a general Canon (Canon 7 of the title III.) which provides for all these cases, and a vestry cannot act except it be in session.

The Rev. Dr. NELSON, of Maryland. I know it does in spirit, and we have so understood it; and yet our Standing Committee has again and again differed in opinion about it, on that old 7th Canon.

The PRESIDENT. That is not an old Canon; it was passed six years ago, I remember.

The Rev. Dr. MEAD, of Connecticut. I beg your pardon, sir, it was passed in 1832, and was omitted by accident in 1859, and I persevered till I succeeded in getting it in again.

The PRESIDENT. What I knew about was when you got it in.

The Rev. Dr. NELSON, of Maryland. If the gentleman from Connecticut says it is all right as it stands now, I will waive my judgment entirely, and will not say one other word, or demand any thing; but I understand him to say that a correction is necessary.

The PRESIDENT. Canon 7 of Title III. reads:

"In all cases in which a Canon of the General Convention directs a duty to be performed, or a power to be exercised, by a Standing Committee, or by the Clerical members thereof, or by any other body consisting of several members, a majority of the said members, the whole having been duly cited to meet, shall be a quorum; and a majority of the quorum so convened shall be competent to act, unless the contrary is expressly required by the Canon."

You cannot make a law any more explicit than that.

The Rev. Dr. MEAD, of Connecticut. But explicit, how? The difficulty is just this. Here are certificates which candidates for Orders are required to bring. They draw them up according to the form. They have no knowledge of that Canon; and the consequence is that they are often put back three months, because the certificate is not drawn up according to the Canon. Now, I say, while we are repairing error, and endeavoring to make the Canons on Theological Education as perfect as possible, we should perfect them in this case; otherwise Standing Committees will be necessitated to tack on to every one of these certificates a special certificate, to be signed by the Clerk of the Vestry, that the body had been collected according to this Canon; and that a quorum was present; and that it was signed by a majority of a quorum. Now why not put in simply two or three words here, to say, "Signed in accordance with Canon 7, of Title III?" Put that in, and then there is no difficulty. Then no young man can complain if he makes a blunder, because it tells him where to find the Canon, and what is to be signed. I have had many instances where it has given me a world of trouble, to be writing in all directions in order to get certificates corrected before the meeting of the Standing Committee, to prevent this very disappointment. I move the amendment in that way.

The PRESIDENT. The question is on inserting the words proposed on page 24.

The amendment was agreed to.

The Rev. Dr. HALL, of Long Island. I beg leave to repeat the amendment I offered the other night on page 13, sub-section 2 of section 1. The first sub-section requires the Bishop to superintend and direct the Theological studies of a candidate for Holy Orders. The second sub-section is, that it shall be done in certain cases by the Standing Committee. I simply wish to except the laymen of a Standing Committee from a duty which I think will be unpleasant to them; and I do not think it was really intended. I move that the words "Clerical members of" be inserted after the words "the Standing Committee," so that it will read:

"[2.] In a Diocese, vacant or otherwise, canonically under the Ecclesiastical authority of the Standing Committee, the Clerical members of such Committee shall exercise said superintendence and direction."

That is, they superintend the general conduct of the candidate, and direct his Theological studies.

The Rev. Dr. McNAMARA, of Nebraska. I have a word to say on that. There are some Standing Committees in some dioceses composed of two Clerical and one lay man, I would like to know how you are going to get three-fourths of the two Clerical members. [Laughter.]

The PRESIDENT. The question is on the amendment of the Deputy from Long Island.

The amendment was agreed to, there being, on a division, ayes 61, noes 24.

The Rev. Dr. HARE, of Pennsylvania. May I call on Mr. Massie, of Virginia, who proposed, if I mistake not, to relieve us from a difficulty as to Canon 4? Some gentleman declared a willingness to move a reconsideration, but it turned out that that could not be done in consistency

with order, and the gentleman from Virginia, if I mistake not, indicated a mode in which it could be done.

Mr. MASSIE, of Virginia. It was just this: that when we got through the amendments the whole Canon would come before us as corrected, and it would be competent for any body to offer an amendment to any part, old as well as new. I only suggested it to avoid the delay of taking the vote on the reconsideration. All that the House decided was, and properly, that the Committee having reported certain amendments, while they were under consideration it would not take up any other part of the Canon; but now, having gone through these amendments, the whole Canon comes before us as corrected, and, of course, there can be an amendment offered to any part of it.

The Rev. Dr. HARE, of Pennsylvania. I move, if it is in order, that in Canon 4, "Of Examinations," page 15, the first section as reported by the Committee be restored, so as to make it read:

"In each diocese there shall be a *Board of Examiners*," or, "Examining Chaplains," if you choose, "for Holy Orders, consisting of three or more learned Presbyters."

The Rev. Dr. WILLIAMS, of Georgia. I make the point that that part of the Canon has been stricken out by a vote of the House, and your rule of order says that all motions to reconsider shall be made, and seconded the day the vote is taken, or the next succeeding day. The vote on striking out that part of the Canon was taken on Friday, and now it is proposed to restore it. Does not that require a motion to reconsider? Has not the House passed upon it? The motion is to restore, which requires a reconsideration.

The PRESIDENT. The decision I gave the other day was, that after we had gone through these amendments, any amendments might be proposed to the older portions of the Canons not amended; but I did not say then, and I do not think now, that the amendments actually passed upon can be reviewed and passed upon again. I think the amendments actually adopted are adopted in fact, and must remain adopted, and the Canon passed or rejected, as the House may consider proper.

Mr. BARBOUR, of Virginia. That cannot be so. Suppose you alter some portion of the old matter, you will be obliged to alter the new to correspond with it. It seems to me when the whole subject is up, you can make amendments to the whole matter.

Mr. MASSIE, of Virginia. I think, sir, if you will advert for a moment to the ground on which your decision was given, and which I am sure was perfectly sound, you will see that it has not this difficulty in it now. Why was it that the point of order was made that an amendment could not be offered to an old part of the Canon? For no other reason in the world than this: the Committee who had charge of the subject, and who were reporting, had reported a specific amendment, and what was before the House That amendment and nothing else. The body of the Canon was not before us. It was competent to this House to amend that amendment, and it was competent to the members to offer any other amendments, *seriatim*, to that amendment, that they desired, but to nothing else; and whenever that was determined upon, they then took the next amendment brought forward by the Committee. Now we have gone through all these amendments. Of course while those amendments were before us, one at a time, nothing could be considered but an amendment to those amendments. But now what are we upon? We have the whole body of this Canon, as amended, before us. It is impossible, if the whole body of the Canon is before us, but that it must be competent for the House to amend any part of it. It is not a reconsideration. It is nothing to the purpose to say that it may have the same effect as a reconsideration. We might be sitting here six months, and at the end of six months, when we have got through our proposed amendments, the whole body of the Canon must come before us as amended, and until voted upon it has no sort of obligation. We are now considering the whole Canon, and there is no possibility of drawing a distinction between the old parts and the new parts now. They are all before us alike, and as has been well said by my colleague, you might make some alteration now in the old part of the Canon that would be perfectly inconsistent with some amendments that have been passed over, and we must certainly, then make them agree together in some way. There is now this whole body of Canon proposed, immediately before the House.

The Rev. Dr. MITCHELL, of Georgia. How then shall the Secretary record the motion—as a motion to adopt this new Canon reported by the Committee—as a new Canon, or an amendment to an old Canon?

Mr. MASSIE, of Virginia. The motion will come up to adopt the Canons one by one, as amended.

Mr. STINESS, of Rhode Island. I move that the first Canon reported by the Committee be read by its title and adopted.

The Rev. Mr. RICHARDSON, of Texas. Before that motion is put to the House, I should like to know whether any portion of the Canons we have now been considering touch at all upon Canon 5, Title I, section 6, with regard to the admission of candidates for Orders from the denominations.

The Rev. Dr. HARE, of Pennsylvania. That is all incorporated in different parts.

The Rev. Mr. RICHARDSON, of Texas. Is it provided that a candidate from another denomination may be admitted upon a lesser qualification than those who are already members of the Church?

The Rev. Dr. HARE, of Pennsylvania. All that is in Title I, Canon 5, section 6, is reproduced, every part of it.

The PRESIDENT. The question is on the adoption of the first of the Canons, being Canon II as printed.

The Rev. Dr. BURGESS, of Massachusetts. I should like to bring in now a point connected with this. It will be observed on page 5, subsection 3, that the Committee have very properly introduced the words "communicants of the Protestant Episcopal Church. That is new matter. We have already voted upon that; but on turning to other parts of this Canon, say, for instance, on the 10th page, subsection 1, under the 4th section, it will be seen that the words read "a testimonial from at least twelve members of the denomination, or twelve members of the Protestant Episcopal Church, or twelve persons in part of the denomination from which he comes." The old Canon used to read in this first place which I have read, "four respectable laymen," saying nothing of their being members or communicants. We have adopted the important principle of requiring them to be communicants, a principle to which the Church has grown up and which we have adopted in this General Convention, requiring the laity in the General Convention to be all communicants, and we are adopting it in many of our parishes, requiring the vestry to be communicants. It will require but a moment for us to put the word "communicants" in the place of "members" or "persons" wherever it occurs throughout this Canon, holding a like relation toward the certificates which are to be presented to the Bishop. I hope the Convention, although tired out with this subject, will make this alteration in order that this principle may pervade the whole Canon. I move, therefore, that where the word "members" or "persons" occurs in making these certificates for the Bishops, it be altered to the word "communicants."

The Rev. Dr. BABCOCK, of Central New York. I suggest one difficulty in regard to that. There are many parishes where it would not be possible to obtain that number, twelve communicants; and that would allow the female members of the parish to sign testimonials.

The Rev. Dr. HALL, of Long Island. I would suggest another difficulty. If that is carried out very strictly, it involves the principle of our undertaking to oversee the affairs of other denominations. It might be possible that a gentleman would come to us, say from the Roman Catholic Church, who would find it very difficult to get twelve communicants of the Roman Catholic Church who would be willing to sign his testimonial. There might be a little of the odium of sect in the matter. It might be so in other cases. A gentleman might be perfectly recognized as a proper person by twelve respectable men, and yet it might possibly happen, in a place where feeling was excited in any way, that he might find it difficult to get twelve communicants. We cannot regulate the communicants of other denominations; we can our own.

The Rev. Dr. BURGESS, of Massachusetts. It does not require communicants of other denominations around us, but requires twelve persons who are communicants of other denominations or communicants of our Church. A man might pick up from a denomination twelve persons, whom we would not be willing to receive at all; but, it being certified that they are communicants, it is all well. I simply wish to have the principle run through and not to require of a man who comes from our own Church that which we do not demand of a man who comes from a denomination. That is my only point.

The PRESIDENT. I understand that that word "members" or "persons" is used in reference to signing certificates, and the amendment is that it shall be stricken out and "communicants" inserted.

The amendment was rejected.

The Rev. Dr. MEAD, of Connecticut. With regard to

the members of the denominations from which the individual, ordained minister, or licentiate comes, I think it highly important that the word "male" should be inserted, and for this reason: I have, within less than six months, had before me and laid before the Standing Committee to which I belonged, a testimonial which was signed by a majority, or, perhaps three-fourths, and I do not know but all the signatures to which were those of ladies, and they took care not to put down their Christian names but simply the family name and the initials of their first name. I want to know if the Church is prepared to receive such signatures. We make it loose enough, easy enough for these gentlemen to slip in. I do not want the ladies to give them a "boost" and help them along. [Laughter]

The Rev. Dr. HASKINS, of Long Island. I move to strike out the word "other" in section 7, page 9, line 3, in the phrase "in any other denomination of Christians." I propose not only to strike out the word "other" here, but wherever it occurs, in that connection, on principle, because by using it we put ourselves, as I hold, on a level with those other denominations; and, if they are not coming from denominations in the Church, they may as well stay where they are.

The Rev. Mr. MARPLE, of Pennsylvania. I really hope that motion will not carry, because, if we strike out the word "other," it may seem to imply then, by a strict construction, that we are not Christians, [laughter] for it says "denomination of Christians." I should really hope a strict construction would hinder our passing such an amendment here to-night. I know we are all getting tired. Then this accords with the Preface of our Prayer Book, and certainly also with the language of our Canons, and we shall have to go through others besides this.

The Rev. Dr. HASKINS, of Long Island. I do not see that the point of the gentleman touches the question at all.

The PRESIDENT. The question is on the amendment of the gentleman from Long Island.

The amendment was rejected, there being, on a division, ayes 41, noes 53.

The proposed Canons, 2, 3 and 4, of Title I, as amended by the House, were adopted *seriatim*.

The Rev. Dr. HARE, of Pennsylvania. Is it in order now to move for the restoration of the first section of Canon IV?

The PRESIDENT. My judgment was the other way, but I submit to the learned gentlemen who have given us a different construction, and, in order to facilitate business, I will let the motion be made.

The Rev. Dr. HARE, of Pennsylvania. I move to restore the first section of Canon 4 "of Examinations."

The Rev. Dr. WILLIAMS, of Georgia. I appeal from the decision that it is in order to bring that up.

The PRESIDENT. Let us take a vote and determine it.

Mr. WHITTLE, of Georgia. The only thing that prevents us from reconsidering, is the rule of the House that the motion must be made the next day. I move to suspend that rule, which I hope the House, in deference to the Chairman having charge of this matter, will agree to, and then the motion will be in order.

The PRESIDENT. But can you not just take the vote on this motion, and determine the question, either one way or the other?

Mr. MUDGE. All the way through, on all amendments, I have voted with the understanding that the Canons would be open to any amendment before we took final action. I think that was the general sense of the House as stated by the Deputy from Virginia. I have acted all the way through on that understanding.

The PRESIDENT. I have submitted to that, and am about to put the question.

The Rev. Mr. FARRINGTON, of New Jersey. I wish to ask whether something is not due to absent members. I understand there was comparatively a full House when this section was stricken out. Is not something due to absent members?

The Rev. Dr. WILLIAMS, of Georgia. Is the question on striking out?

The PRESIDENT. It is.

The Rev. Dr. WILLIAMS, of Georgia. I must address the House on this question. I represent a small Diocese, and the evil to be wrought in this form to the small Dioceses is very great and exactly in the opposite direction from what the learned gentleman from Pennsylvania wishes. It is to accomplish the very same object that he has in view, that I now oppose the amendment. It is because, as a fact within my knowledge, it would have brought the greatest evils to a small Diocese. Your amendment requires that the Standing Committee shall, as soon as possible, fill va-

cancies which occur in this Board of Examiners. There was a case within my knowledge where the death of the Bishop occurred. The rectors of the larger parishes were the men most capable of filling the office of Examiners, having the capacity and the learning, but they were vacated at the same time. The Standing Committee would then be compelled to fill these vacancies with men who were good, but who, in my judgment, would not have been competent to form such a Board. That occurs in all your small Dioceses. If I were in a Diocese, such as that represented by the learned gentleman who has this report in charge, I would go with him heart and soul. If our Dioceses were composed of such presbyters as are in those Dioceses, and in such numbers, I would most heartily and cheerfully go with him; but I know that in small Dioceses it is often impossible to find fit men at once, and cases like that alluded to do often occur. Now, is it to be that you will practically require, by this legislation, that our most incompetent men are to fill our Boards of Examiners? That is the last object you have. I think the learned gentleman must see that I am not opposing him in any factious spirit.

The Rev. Dr. HARE, of Pennsylvania. I do not imagine it.

The Rev. Dr. WILLIAMS, of Georgia. I am only making an appeal to this House to give us the power of having competent men, by leaving it with our Bishops to take the best they can find. And now, sir, I do say that this question was voted upon in a full House; that we have here hardly a quorum; and is it right, at this stage, to make such an amendment, which will put upon the small Dioceses the very evil that you have most to fear? The great danger is in our small Dioceses where we have a large extent of territory; where we have but a few presbyters. There is the great temptation to bring into the ministry unlearned and unfit men. Let the Canon stay as it is; let the Bishop have the power of selecting the best men; and when a more able man comes into his Diocese, better competent, and he can put him on the Board of Examiners, we shall have some means of securing proper men for the ministry. But, if you do the reverse, if, when the Diocese is small, men incapable are put in the Board of Examiners, to be kept there, what a prospect have we? I do hope, under the circumstances, that this Canon will at least be left for three years.

The Rev. Dr. HOWE, of Pennsylvania. Before the question is taken, I must ask to have the beginning of that Canon read, for I am apprehensive that the various amendments will make bad English, and we shall be ashamed of it if it be allowed to stand as it is now.

The SECRETARY read as follows:

"§ 1. In each diocese there shall be two or more examining chaplains, to be appointed by the Bishop, and holding their office at his discretion; and that it be recommended to the several dioceses to make provision, so far as practicable," &c. [Laughter.]

The Rev. Mr. PORTER, of South Carolina. I move an adjournment.

The Rev. Dr. HARE, of Pennsylvania. If the gentleman will withdraw the motion I will withdraw the proposition to restore the section.

The Rev. Mr. PORTER, of South Carolina. Very well.

The Rev. Dr. HOWE, of Pennsylvania. It is not grammatical.

The Rev. Dr. HARE, of Pennsylvania. "It being hereby recommended" would remove the difficulty.

Mr. MASSE, of Virginia. I move the adoption of the whole of Canon IV.

The motion was agreed to.

The proposed Canons V., VI., VIII., and IX. were adopted *seriatim* as amended.

The Rev. Dr. HARE, of Pennsylvania. I offer the following resolution:

Resolved, (The House of Bishops concurring), That the substitute for Canons 2, 3, 4, 5, 7, 8, and 9 of title I, of the digest, reported by the Joint Committee on Theological Education, and amended by this House, be adopted.

The resolution was agreed to.

The Rev. Dr. HARE, of Pennsylvania. I am instructed by the Committee to offer this resolution of reference:

Resolved, (The House of Bishops concurring), That it be referred to a Joint Committee to inquire and report to the next Convention whether candidates of good capacity should not be encouraged to enter upon a field of study wider than that commonly pursued; a field including, for example, the biblical chronology and eschatology of the Old Testament, the comparison of the history of the Bible with the Egyptian, Assyrian, and other monuments of antiquity, the minuter history of the first two centuries and of the period of the rise of the papacy; whether there should not be for

such students additional examinations of a searching character, and whether ministers passing such examinations successfully should not be permitted and required to appear when performing divine service with some badge significant of the fact.

The matter has been under the consideration of the Committee for years. They believed it was not ripe for presentation. They ask that it be referred to a Joint Committee, to report to the next General Convention.

The resolution was agreed to.

The Rev. Dr. PERRY, of Western New York. I move that the joint Committee under this resolution be the same Committee, on the part of this House, who have already served us so faithfully.

The motion was agreed to.

INDIAN MISSION.

Mr. WELSH, of Pennsylvania. I offer the following resolution:

Resolved, That this House recedes from the second resolution in relation to the appointment of an Indian Committee, as contained in its message, No. 32, to the House of Bishops, and concur in message No. 48 from the House of Bishops, authorizing the Domestic Committee to appoint a commission, to be charged with the care of the Indian Missionary work.

The House of Bishops decline to allow the appointment of a Committee, but they sent a message to us stating that they desired us to unite with them in allowing the Board to appoint an Indian Commission.

The resolution was agreed to.

BOARD OF MISSIONS.

Mr. WELSH, of Pennsylvania. The Board of Missions have agreed on the following amendments to the Constitution of the Domestic and Foreign Missionary Society: In article 9 of the Constitution add, after the words "subject to the regulations of the Board," these words, viz: "And the said Committees shall have authority to direct and control, by concurrent resolution, the custody of the seal of the Society, and the seal may be affixed and proved by any officer of the Board of Missions, or of either of the said Committees, to any document the execution and authentication of which shall have been duly authorized by the said society or by a concurrent resolution of the said Committees. Said Committees, at a meeting regularly warned and held in, may exercise, by a resolution in which a majority of the members of said Committees shall separately concur, any of the corporate powers of the Society which have not been otherwise provided for, or the exercise of which shall not be in contravention of any action or regulation of the General Convention of the Board. I offer the following resolution:

Resolved, (The House of Bishops concurring), That the foregoing action of the Board of Missions be approved.

The Board of Missions have passed a resolution asking their two committees to hold the seal and act for them. Their action is of no value unless this House and the House of Bishops concur in it. This is merely to approve their act. I move its adoption.

The resolution was adopted.

On motion, the House adjourned until to-morrow morning at nine o'clock.

APPENDIX.

MISSIONARY JUBILEE.

The programme of exercises, on the occasion of the Missionary Jubilee, was as follows:

1821-1871.

JUBILEE,

Of the Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States of America.

EMMANUEL CHURCH, BALTIMORE,
Thursday, October 12, 1871, at 9½, A. M.

PROGRAMME.

MORNING PRAYER.—Selection VIII.

Lessons for the day—*Daniel ii: 24-49.*

Luke, xxii: 1-31.

Psalm 79.

Ante-Communion Service.

Hymn 54.

Addresses by the Right Rev. B. B. SMITH, DD.

" " G. T. BEDELL, D.D.

" " G. M. RANDALL, D.D.

" " JOHN PAYNE, D.D.

" " A. C. COXE, D.D.

Administration of the Holy Communion.

The Right Rev. SAMUEL ALLEN McCOSKRY, D.D.,
D.C.L., Bishop, of Michigan.

The addresses delivered were as follows:

ADDRESS OF BISHOP SMITH.

The Right Rev. B. B. SMITH, D.D., Bishop of Kentucky, said:

Brethren, at my advanced period of life, it was with reluctance that I accepted the invitation of the three departments of our missionary work to appear on this occasion, thinking it would devolve upon me simply to state what was the object of the meeting, to go back, in memory, to the commencement of our missionary work, to call up anew and with gratitude and love to acknowledge the mercy of God in granting us the measure of prosperity He has, during the last half century past, and to try to awaken in myself and in you a deeper and more devoted interest in behalf of this great work. But my reluctance was very much increased when I learned that it was desired that I

should give some of my own personal recollections of this work; my early connection with it in the city of Philadelphia. I had hoped that these minute details would have devolved upon some younger Bishop; but rather than that they should not be communicated at all, I cast myself upon your indulgence whilst I refer to some of them, lest when my life expires, which must be expected to be very soon in the ordinary course of nature, some of these interesting particulars may pass into oblivion.

I shall bring forward only three circumstantial details with regard to three circumstances, those which attended the introduction of the friends of Foreign Missions into a share of the government of the missionary work, the circumstance which led to the sending to England of our first delegate, Dr. Milnor, of New York, to inquire into the operation of the two great Missionary Societies of England, and which opened the door, I doubt not, to that succession of visits to and fro which have followed until this day, and the most remarkable and blessed of all which we have recently enjoyed in this city, and then some of the circumstances attending the appointment of our venerable brother here present, Dr. Hill, our missionary to Athens.

In 1828 I found the Missionary Committee a united committee attending to the interests both of the domestic and foreign fields. There was but a single individual in that committee particularly and deeply interested in the foreign work, the Rev. Mr. Van Pelt. I was well aware that a very deep interest was felt in the eastern part of the Church in the foreign missionary work, incited now, by the blessing of God, upon the wise and admirable labors of the American Board of Foreign Missions. Within our Church the interest was unremitted. Amongst the prominent friends of the work were Bishop Griswold, of the Eastern Diocese, Dr. Potter, afterward Bishop of Pennsylvania, and Edward A. Newton, a devoted friend of Foreign Missions; in Rhode Island, Dr. Crocker; in Connecticut a very lively interest in the Mission to Africa; in New York and Brooklyn, Dr. Milnor and Mr. McIlvaine, now Bishop McIlvaine, then rector of St. Ann's Church; in Philadelphia, Dr. Bedell and Mr. Allen; in this city, Dr. Henshaw; in Virginia, the Rev. Dr. Meade, deeply interested, especially in the African Mission, as were many friends in South Carolina,

For the want of some organization within the bounds of our own Church, quite a number of persons, deeply interested in Foreign Missions, were contributing to the American Board, and that dear brother of ours, here present—he has been in the city, and I trust is in this House, Dr. Robertson—felt so deep an interest in the Missionary work that he was nominated by Bishop Griswold for some Foreign Missionary station to the American Board of Foreign Missions, and on account of only one circumstance, all this arrangement fell through, for the reason that he asked the privilege, when the Missionaries communed together, that he should be permitted to consecrate. I was well aware of the depth of his pious interest in Foreign Missions, and by the co-operation of Dr. Kemper and Dr. Montgomery, we found it very easy to make an arrangement by which quite a number of the friends of Foreign Missions should be admitted into the Missionary Committee. I assured them if this arrangement could be made so as to secure the confidence of the friends of Foreign Missions, that the income, which at that time I think did not exceed \$3,500, would undoubtedly, in a single year amount to ten thousand, and it did to eleven thousand. That was the beginning of the auspicious work which has been going on so favorably under the blessing of Almighty God.

In 1828 or 1829, a young man from St. Ann's congregation, Brooklyn, an Englishman, and a teacher in the Sunday school, interested in Foreign Missions, called upon me, casually, or shall we say providentially? and in that conversation suggested the sending of some distinguished clergyman to England to open communications with the two great Missionary Societies, and he suggested his own rector. I received the proposal with great favor, and immediately wrote to Mr. McIlvaine, assuring him if he would consent to go, that his people no doubt would furnish the means. His immediate reply was, "I am by no means the proper person; the proper person is Dr. Milnor, of New York." Accordingly all the arrangements were made. I was furnished with written instructions for the doctor, and went on to New York to convey further verbal instructions before his departure. About the same time I received a call in my humble dwelling in Cherry street, in Philadelphia, from a young merchant, from the congregation of Dr. Milnor, New York, superintendent, I think, of his Sunday school, who was on his way to Washington, with a message that the authorities of the American Board of Foreign Missions in Boston desired to have some pious and godly man sent out by the United States Government, as consul to Honolulu, to extend the protection of our flag over our missionaries there. In my conversation with that friend, I pointed out to him that the American Board could command any number of agents, equally well qualified with himself, to go out in this position to Honolulu, but that our branch of the Church needed all such laborers, that in my opinion he could much more highly subserve the interests of the cause of the blessed Redeemer by taking Orders in our Church, and I believed that it would lead to his being associated with Dr. Robertson, in our Greek mission. This was taken into serious and prayerful consideration, and the result was that the Rev. Dr. Hill, our venerable missionary to Athens, now amongst us, accepted that position.

It is time I should turn back, my friends, to first principles, or rather endeavor to elevate my mind and heart and yours to the sublimity of the great Apostolic Missionary commission. Herein is love; not that we

love God, but that He loved us and gave His Son to be a propitiation for our sins; for we thus reckon that if Christ died for all, then were all dead, and that they should no longer live to themselves, but unto Him that loved them and died for them. We love Him because He first loved us. The love of Christ constraineth us to go everywhere preaching the unsearchable riches of Christ. When these sentiments and feelings shall pervade the hearts of all our Bishops and other clergy, the hearts of all teachers in our colleges and schools and Sunday schools, the hearts of all—rich men and pious women—then shall we behold the bright dawn of that glorious day when the kingdoms of this world shall become the kingdom of our Lord and of His Christ.

ADDRESS OF BISHOP BEDELL.

The Rt. Rev. G. THURSTON BEDELL, D.D., Assistant Bishop of Ohio, was next introduced, and spoke as follows:

My dear brethren: This is a day for recollections. These recollections are fragrant with devotion and sacrifices and love, redolent of the highest offering of praise to God, which is the offering of heart and body and lives in the work of Missions. Our jubilee is a thanksgiving for that which we have done, but it is also a remembrancer of the way by which the Lord has led us here, and at this point of our pilgrimage we erect a memorial of the gracious dealings of God during the past fifty years—dealings as gracious in His trials of our faith as in His blessings on our feeble efforts—gracious no less in labors that are finished and the grand record of character and self-sacrifice inscribed upon the missionary history of the Church, than in the triumph of the Cross.

But, dear brethren, in presence of the sacred recollections which we are about to celebrate together, we must for a moment forget the disciples whilst we remember the Lord. How eloquently these sacred emblems will speak to us of Him, "Do this in remembrance of Me." From the first hour when the disciples met to break bread, fearfully expecting, not having received the promise but not forgetting their absent Lord, through all these eighteen hundred years they have gathered abundantly around this table in every moment of perplexity, in every hour of trial, when awaiting the summons to martyrdom and a crown, or in the instances of supremest joy, for there is no thanksgiving which more fully utters the emotions of a soul most keenly alive to joy than that which rises to Him that hath loved us, and bought us with His own most precious blood and hath made us kings and priests unto God, even the Father.

This is the sacrament of recollection, the recollection of His love, of His Sacrifice, of His willing devotion, of His intense sympathy, of His readiness to accept pain and poverty and misrepresentation and the sadness of a heart that finds its friends forsaking it. There is not a trial of the Missionary life which was not first borne by Him who came on the mission of redemption; nor is there a trial which we weigh in the poor balances of our imperfect judgment before we bend our shoulder to take up whatever burden of the cross seems to fall to our lot in following this Christ which was not first weighed in the balance of His foresight who offered Himself as the Lamb of God, slain from the foundation of the world.

Around His cross all these recollections cluster. There is the interpretation of missionary devotion; thence the inspiration of missionary energy and power,—that one sacrifice once offered which we

recollect as we shall see upon the holy table the emblems of it; that one propitiation, oblation and satisfaction once offered for the sins of the whole world; that atonement without which you and I were helpless sinners ruined; that sprinkling of precious blood before the Mercy Seat, that bearing of our sins in His own body on the cross, and that pleading for us by His merits within the veil, that making Himself sin for us who knew no sin that we might be made the righteousness of God in Him—that is the source and the power of the message; as it is the strength of the foundation, of the faith of the missionary. And that Word once offered, to take away the sins of the whole world, introduces me to that particular line of thought which I am commissioned to lay before you to-day.

The Foreign Committee send their greeting. They ask you to rejoice with them in the recollections of these past fifty years and in the prospects of the future. But the Foreign Committee would have had no work to do and no commission had not God made of one blood all men that dwell upon the face of the earth, and had not Christ embraced them all within the circuit of His grace, had he not provided His Gospel for them all, and made them all capable of receiving it, and had He not expressly included the Foreign Missionary work in His last commission. This Church has lent a willing ear to the Master. Among its first principles of missions it writes His word, "The field is the world." We count upon your sympathy, then, when we bear you this greeting from the Committee which has charge of your Missionary labors outside of the bounds of our own country, and we wish you to be partakers of our joy to-day.

But this Foreign Committee, like the Board of Missions itself, as you have already heard from my venerated friend, the Presiding Bishop of the Church, is the successor of an elder Society—the Domestic and Foreign Missionary Society of the Protestant Episcopal Church. That name, which is still impressed upon that which we now call the Board of Missions, had its foundation fifty years ago. It passed, as you well know, into the Board of Missions by an act of the General Convention, an act of which I was permitted to be a grateful witness, although I had no official part in it; and no one who was present on that glorious day, will ever forget the enthusiasm with which the Church then embraced the new idea,—new to them, new to us, not new to the Gospel,—that every member of the Church by virtue of his baptismal covenant with Christ is a member of the Missionary Society and pledged to Missionary work. I trust that this Jubilee will witness a return of the Church to a full conviction of the correlative truth that every member is bound by that same vow to labor for the salvation of all for whom Christ shed His precious blood, and to whom He sent His Gospel, that the charity of this Gospel in our Church is not to be spent only within the privileged boundaries of our own country, but is to gather into the meshes of its net of love, all to whom its message can be borne without limit of nation, of kindred, or tongue.

During these forty years four missions have been established by the foreign branch of our operations; the first, which has already been mentioned

before you, the mission to Greece; the next in order, that to West Africa; the next to China, and the next to Hayti. During this same time efforts were made to establish Missions, and partially successful in both cases, amongst the Churches of Asia Minor by Bishop Southgate and Dr. Robertson, and some efforts, also, on the Isthmus of Panama and in Mexico; but the four principal Missions still presenting themselves to your charity and love, are those which I have mentioned, Greece, West Africa, China, and Hayti. I am to speak to you this morning upon the mission to Greece.

My deep interest in it is inherited; I hope you will not think it a less worthy interest on that account—inherited, indeed implanted, by earnest parental instruction, and by the prayers for it, and the labors for it which I witnessed within our own domestic circle in my father's charge in Philadelphia; but strengthened day by day, and year by year, as I have been able to witness the work, and to understand more clearly the principles upon which it has been based.

It was founded—pardon me for saying, because this is a day for recollections, and although I was not a party yet, I may tell you of that of which I have heard—it was founded in my father's house in Philadelphia after the consultations of such men as that venerable man who has spoken to you, Bishop McIlvaine (then Mr. McIlvaine), Milnor, Alonzo Potter (I give you the names without the titles), and if you will pardon me I will repeat them—Smith, McIlvaine, Milnor, Alonzo Potters and Bedell; a very strange conjunction of names relating to this work, considering some things that have been said about it, and thought about it in these latter days, when men have forgotten in some respects the principles upon which the Mission was founded, and on which it has been conducted.

I wish to state still further that the commission which was given to the first Missionary who went out for the establishment of this work, was signed by the venerable Bishop White and by Bishop Griswold, and by some of those whose names I have mentioned, and others of like mind. And, I venture to say, that the principles are true, that they have never been denied by our Church, that they are accepted to-day by all who understand what those principles were, and that they have never been departed from in the progress of the Mission.

The intense interest that encompassed the subject of Greece at that day can hardly be understood by our times. Our own political freedom was not an event of the past, and the war of 1812, which confirmed it, was an experience with many of that generation. You must remember, in thinking of those days, that news did not travel as it now does, by telegraph, nor cross the ocean by steam, nor was the newspaper laid upon every man's door, at breakfast, by an ubiquitous and thousand-fingered press. Consequently, every item made a far deeper impression than it makes now. And as the news of the cruelty of the Turks, and the awful struggle of our brethren in the Christian faith against Moslem oppression, gradually, and slowly, and with time to produce a deep impression, reached the

hearts of our people, there was a response of agonizing sympathy.

I was a boy then, but though a boy, I can remember it distinctly. I remember when my beloved father preached before the Common Council of Philadelphia, at their request, on that subject, how intense was the interest, for as in this Church, on an occasion which has already been alluded to, there was not a standing place in the building left unoccupied, and I, as a boy, was lifted up and put into the pulpit, standing close by my father's side, and feeling the throbbing of his heart. I never shall forget it.

These were the emotions under which the Greek Mission was established; for when the proposition came, closely following contributions of material aid from the United States, to give spiritual sustenance to those poor people, there was an immediate response, the first real indication of active missionary life in our Church. The battle of Navarino had taken place; that grand victory had opened the certainty of peace, protocols had been signed; peace was secured, but it had not been attained. Greece was not yet placed amongst the free nations of the earth. The first movement was to send out on a mission of inquiry (in order that the Church might know what to do wisely), the Rev. J. J. Robertson, now better known amongst us as Dr. Robertson, and he is here to-day. I beg him to rise, in order that the congregation may have an opportunity at least of seeing, if they do not hear, the eldest foreign missionary of our beloved Church. [The Rev. Dr. Robertson rose.]

He was sent, as I said, on a mission of inquiry. He went to the Ionian isles, and elsewhere. He returned after some months, and reported favorably on the feasibility of the attempt. Then in 1831 the Rev. Dr. Robertson and his family, and the Rev. Dr. Hill and Mrs. Hill, were appointed on the mission; and I now ask that my venerable friend, the Rev. Dr. Hill, will present himself, in order that the congregation may see and know one who has been laboring in the missionary work for over forty years, and who comes to us as the second Foreign Missionary appointed by the Church. [The Rev. Dr. Hill rose].—These friends went out to Greece. They were not permitted at first to land at Athens, for Athens was still in the hands of the Turks. They landed first on the classical ground of Thenos, where they remained for six months, preparing themselves more thoroughly and effectually for the work which they were about to do. At the end of that time they went to Athens, landed on its shores and looked for a home, but there was not a habitable house in the city. The Turks were not so merciful as that awful fire which has visited Chicago. That left something standing, but the Turks left nothing. They found under the Acropolis an old, almost ruined Italian tower. A portion of that they managed to fit up, as a shelter from the storm and from the heat, and there they commenced their Missionary labors.

It will not do for me to dwell, as I should love to do, upon the progress of the work. That portion of it, I have no doubt, is familiar to you, and not so much a matter of recollection with which you are to be refreshed. It will suffice to say,

that there these friends established schools, schools of various departments, gathering the children together, instructing them in all branches of useful knowledge, but always invariably seven days in the week instructing them in the Word of God, and the pure truths of the Gospel. Gradually they gained the confidence—first of the parents of the children, then of the people as the work became more known, lastly of the Government. After awhile the priests and ministers of the Greek Church began to be familiar with those houses of instruction, and they yielded, one by one, many of their prejudices, and entered with great interest into the work which had begun. I think I may say—for scarcely a word that has come from that Mission Church all these years, that I have been interested specially in the work, has escaped my notice—I think, I may say, that gradually every class of which I have spoken, became deeply and conscientiously interested in this labor.

I will not repeat—it is not necessary—that during all these forty years, every now and then, some wind of rumor would pass over the ocean and disturb the minds of some of those who had not sufficiently inquired and made themselves familiar with the work, and it needed, over and over again, the visit and the inquiry and the return and the report of such men as Tyng and Coxe and others that I could name, every one of whom gave the same record, reported the same good tidings, strengthened again the hearts of the Foreign Missionary Committee and the friends of the work.

The missionaries steadily labored on amid misconception, and doubt, and discouragement, until at last the Church at home learned what the Greeks had known all along, that the labors of Dr. and Mrs. Hill, and the other teachers supporting them, as now the labors of Miss Muir, assisted by these venerable workers, were a blessing which could not be estimated.

Now I want to say one other thing in connection with this matter, as I do not know that I shall ever have an opportunity of saying it which I should prefer to this. The Foreign Committee have steadily and conscientiously fostered and encouraged this mission through its whole history. Its usefulness has never been problematical with them, and it has been devoted to the establishment of the mission from its inception to the present moment. Every annual report will attest this statement; all the utterances of the committee or its officers affirm it. I was a member of that Foreign Committee for fifteen years; there are brethren here who can report from that time on almost to the present day; and through all that period of fifteen years, whilst much obloquy was thrown both on the mission and its missionaries and the committee, I testify that the committee never wavered in their earnest support of it, and you can testify from your knowledge, that the missionaries themselves, forgetful of the clamor of friends, quietly, and in faith on God, pursued their blessed labors.

The result is before the Church. What was aimed at from the beginning, has been accomplished more and more, year by year, and at the end of forty years, we see the fruits. The aim was to give ground for the Scriptural enlightenment of

the Church in Greece, then only emerging from years of sorrowful oppression, may I not say from years of degradation, under Moslem's rule. Dr. and Mrs. Hill designed to work up this in two ways, first by encouraging the reading and the circulation of Scriptural truth, loving the Word of God, quietly and unobtrusively calling the attention of the priests and of the people to their privileges under the rules of their own Church, to study the Word of God and to deliver it. Their second object was by teaching the women and the children, the mothers and the girls, and so imbuing them with the principles of the Divine Word, that when they reached positions of influence in the society of their land, they should stand forth as Christian wives, mothers, sisters, daughters, and a generation should arise that should be filled with the living truths of the Gospel.

Dear brethren, it has been done. The element of the Church of which the Lord Bishop of Lichfield spoke to us so earnestly and truthfully a few nights ago, that element of time has been taken into the account, and at the end of forty years, and even before it, we have seen the result. I cannot illustrate it at length, but I will give you just two illustrations, one of each of these modes of reaching the end.

As the result of the first, I think, we may fairly say that now there are indications which can hardly be mistaken. The spirit of God has been working largely through the influence of the word of God upon the intelligent classes, upon those laymen who are engaged in the work of the country in positions of high influence, and upon the priests. The work of a layman holding a high position in the community first brought this to light. Impressed, himself, with new views of religion, he desired that that they should be communicated to the people and to the children. The effort grew, and in October last forty-four married priests, clergy of Athens and the neighborhood, met and formed an association for their own improvement in religious knowledge, for the study of Scripture, and the comparison of their views, and for communicating these, through the parish schools to the children of their parishes. Showing the connection of our schools with this work, on one day a priest was instructing his children in the parish school on the Messiahship of Christ, and giving to them the indications through prophetic history, that a Messiah was expected. Little children and older children from our schools were scattered, of course, through all the parishes of the city, and there were several present in this school, and one little girl rose up and said, "Isaiah says of Him," and then she went on to quote two or three passages most aptly. He asked her one or two other questions, and she gave him, with the utmost readiness, passages of Scripture most appropriate; and, at last, he lifted up his eyes to heaven and thanked God that he had heard the truth from the mouth of babes and sucklings, and said, "I may feel that I am instructed by the children who have been taught by Mrs. Hill."

In connection with this work a remarkable preacher has risen, and we hope great things from his efforts. The Rev. Dr. Lattas, who gathers to-

gether crowds of thousands to hear the pure word of God.

But I pass to the other point. Hundreds and thousands, I think I may say, of those who are now, in three generations, moulding the mind and the heart of Greece, have passed through our schools. The grandchildren of those whom Mrs. Hill has educated in the love of Christ, and an intelligent appreciation of the doctrines of the Gospel, are now in the school of Miss Muir, still watched over by the blessed maternal spirit of dear Mrs. Hill.

I give you an illustration, and it is all that I can do, of the character of the work that has been done. There is in the school now the daughter of an influential family. Her name is Euphrasia, a young Christian, instructed in the truth, loving the Lord, and her heart responsive to the touch of the Spirit, as He speaks to her of Christ. She is full of the charity of the Gospel. This is in Athens. On this side of the ocean, in far away Dakota, among those tribes about whom the new philosophy of a heartless Christianity is raising the question whether the doctrines of natural selection, as Huxley and Darwin teach them, will not necessarily destroy those tribes to make way for the more favored race, and of whom this cold-hearted Christianity is questioning whether they are capable of the blessings of civilization, and that which lies at the root of them, the religion of Christ, among the Yanctons, is another dear child of the loving Saviour, Minnehaha, the daughter of the principal Chief of the Yanctons—"Strike-the-ring." This dear child was lately baptized unto Christ, and the news of it was carried, with other stories of Indian joys and sorrows, to our missionary school at Athens. The story found its way to the heart of Euphrasia, as would it not to any heart which the Spirit has touched. Those scholars instantly began to contribute toward the Indian mission, and they have gathered together and sent to this country a box full of articles made by their own busy fingers, which, I am told, is worth at least a thousand dollars. It is coming; it is in New York, or perhaps on its way. If it arrives in time, I hope those of us who are interested in this work, and the good people of Baltimore, will see that it is worth more than a thousand dollars.

But Euphrasia had just been reading the simple story of Hiawatha, and the name of Minnehaha touched a chord,—the Laughing Water rippled its melody of Heavenly Charity close beneath the Castilian fount. Euphrasia wrote a letter to Minnehaha. Here it is, the fresh outburst of a sister's heart. Alas, Minnehaha has gone to the heavenly rest; she has found the paradise of God; and she never saw the letter which her sister in Greece wrote to her, for I think if she had seen it, she never would have parted from it, and it would not have been my privilege to read it to you to-day. But she rests with the saints, and I am permitted to tell you what this loving outburst of the heart of a Christian girl was to her sister in Christ among the red men of this far-off land. While I read it, I beg to say this is written in her own hand. The English which I give you is precisely that which she has written. She wrote it herself translated it out of Modern Greek herself. I give it to you precisely as it is:

"*My Dear Minnehaha*: Although you do not know me, nor has the name of my country ever been heard of by you, yet among Christians it is not personal acquaintance that constitutes friendship, but love to our Lord Jesus Christ which draws us toward every fellow-creature as toward a brother. I write to you if only to show that love unites the souls of all the followers of Christ, and how their hearts beat with joy, whether far or near, when new ones are gathered into Christ's fold.

"In a letter of a Missionary to his sister, I read about you, and as I have just finished the poem of *Hiawatha*, in which a person named Minnehaha is one of the characters who lived before the white man came to your land, and consequently before the light of the Christian faith was spread among your race, I compared the unhappy condition of that Minnehaha, who walked not knowing her way, nor having any hope of salvation and eternal life, with yours, who, through faith in Christ, have been redeemed from your sins, and have hope in the life to come, whose steps are safely guarded through the pathway of this life by the light of the Gospel, and secure under the perpetual care of Him who gave even His Son to be sacrificed for man's sake.

"How happy you must feel, now that you know that you have a loving Father in heaven who hears all your prayers, who looks upon all your acts, who loves you infinitely more than even your earthly parents love you, and who promises you eternal happiness if you keep His Holy Commandments on earth. Do you not feel as if you were regenerated, and a new world opened to you? Yet these are not the only advantages you have acquired by becoming a Christian. You have entered the great community of Christians, and have gained by this the love of many kind friends, and you are a sister to all those who are united by the love of Jesus, of whatever country or condition they may be. Look only on those kind persons who, having left their pleasant homes and dear friends, have come to you to preach among you the Gospel, guide you to the kingdom of heaven, and alleviate your earthly miseries. Do you not feel that their love toward you exceeds everything you have ever known? Live, then, happy, my dearest child, under the guidance of the Holy Spirit; endeavor all the days of your life to know and comprehend better the truths of the Gospel. Love and cherish those who work for your good. Try to show your love and gratitude to the Saviour, by making others of your kindred know and love him. Be faithful to the end, and you will gain the crown of love.

"Your Christian sister of the Greek Church,
"EUPHRASIA."

She never saw it; she never knew the love of that dear Christian heart; but they will meet, and together they will ascribe the glory of their salvation to the God of all grace and the loving Saviour who has redeemed them with His blood, and they will not forget this Society, which, with brotherly concord, some on this side, some on that, are working together to bring all to the knowledge of Jesus Christ, and Him crucified.

ADDRESS OF BISHOP RANDALL.

The Rt. Rev. GEORGE M. RANDALL, D.D., the Missionary Bishop of Colorado, was next introduced and spoke as follows:

I wish it might have fallen upon some older member of the House of Bishops to address you on this occasion in regard to the domestic department of our missions. I am too young in the Church and in the Episcopate, and I am quite too much interested in the stirring present and in the opening future to know very much about the past; and I feel more at home in endeavoring to set forth the Church as it is and the grand opportunities that are before us, than in calling up your recollections in regard to the past. I will simply say that from the reminiscences that we have already had from our venerable presiding Bishop you see how long ago it was when this Society was formed, how small the things were of that day, and you all well know how feeble the progress of the Church was in her missionary aspect.

But, my friends, we are here to-day to celebrate the 50th anniversary of this Society. We have accomplished something for which we come here in this house of God to thank him. A person once of another denomination approached the venerable Bishop Griswold and asked him if he thought he was really a true Christian, if he had much godly piety. He was no doubt very honest and sincere in this. The venerable man replied in his meek manner "Nothing to boast of." And so, my friends, it is with regard to our missionary progress. We have not very much to boast of, but like that venerable prelate we have a great deal to be thankful for. When this Society was formed, this country was comparatively very small. It had twenty-six States; it had only about 10,000,000 inhabitants. Now it numbers thirty-seven States and 38,000,000 of inhabitants. In 1835, I remember very well, while a Student at the General Theological Seminary, of hearing that the Church had made a remarkable discovery, and that discovery was that the Church of Christ was the only Missionary Society and every baptized member of that Church was a member of that Society, and that the field was the world! At that time the first domestic Missionary Bishop was appointed, the venerable Bishop Kemper. I cannot have the privilege of doing as my brother that preceded me has done, introducing you to him or him to you. He is wearing a crown of glory, he is enjoying the rewards of his labors. But before his Father in heaven called him home he allowed him with his natural eye to look upon that field which in the hand of the great Head of the Church he had been the instrument of spreading on the right hand and on the left. And inasmuch, my friends, as this is a jubilee, I think the great object of it is not simply to get together to recall the past and to rejoice over it, and then to leave these consecrated courts to forget it all, as we are very prone to do, but it is to show what our opportunities are, what our capacities are, and that these very things that constitute the elements of our

thankfulness are just so many obligations upon us from this day forth to do all that can be done for the promotion of God's glory in the extension of His cause and kingdom.

And now what has God done in respect to us? Is it simply that he has multiplied our Missionaries, increased the Episcopate, enlarged our country? Is this all? Oh, no, my friends. But what are we to do on such an occasion as this? for this is a period of jubilees. The Methodists have had theirs; they have rejoiced because they were one hundred years old; and the Presbyterian denomination have had theirs because they have been reunited; and now, my friends, if there is any occasion of rejoicing in matter of age, we are eighteen times as old as our Methodist brethren, and so our rejoicing should take on a corresponding form; and shall it be that we are to wait, and wait until we have had a schism, until there is an Old School Church and a New School Church, a Northern Church and a Southern Church, before we can have a jubilee? Shall we be blind to the fact that God has not dated our birth from any mortal man, any presbyter of the Church, but that we sprang out of the college of the Apostles, and come down from the Son of God himself. Shall we forget that we have had no schism to heal up? By whose grace and by whose providence is it that we have no occasion for any such jubilee as that?

But must I tell this intelligent congregation that we have had opportunities enough for a schism? Must I remind them of the evil prophecies of the enemies of the Church, that we were about to split, that we were about to be divided? We have only to go back a very few years in the history of our Church to see that God's hand was visible in hindering us from having two Churches. We know very well that there was an opportunity for such a schism as this, but by God's grace it was prevented. We well remember, six years ago, when this General Convention assembled, and when the enemies of this Church predicted a division, and when we came together, many were the misgivings of faithful men. There seemed to be a chasm. The question arose, who shall build the bridge, and who shall exact the toll, and what humiliating conditions shall be required. Ah! do we not know that on that memorable morning of the meeting of the Convention, the Secretary rose in his place without consulting anybody, and called the roll of the dioceses for the testimonials; and the first name was Alabama, and then the roll went on, and from that day to this day, nobody has opened his lips. There was no chasm, no bridge to build, no toll to be exacted. And, my friends, for such an interposition of God's providence, we are to be thankful, and it should be remembered on such an occasion as this.

And so it will be, I verily believe, in regard to all things wherein any division whatsoever is threatened. If, therefore, other bodies of Christians have jubilees for reunion, we should thank Almighty God that we have had no such occasions, and that should add an interest to such an occasion as this. But the God of all grace, and the Head of the Church, hath dealt with us after another

manner. We sometimes look back to our domestic Missions as making very slow progress in the early history of this Missionary Society, and attribute it to a want of Missionary spirit. I think we do our fathers injustice in that regard. What did they have to contend with? Why, they had all the prejudices of religious bodies, who attacked whatever was distinctive in our Church, and used it as an obstacle,—the sign of the cross, Gothic architecture, an educated clergy, a liturgical worship. But now what do we see? These obstacles, one after another, have been giving way. Instead of using the sign of the cross as an obstacle to the progress of the Episcopal Church, these very brethren put it now on the top of their places of worship. They now adopt a liturgical service; they now educate their clergy; they now build very much more expensive churches than we can afford to do. And so these obstacles to the progress of our Church, have been one by one removed. The field is to-day, on this fiftieth anniversary, left entirely open. We stand to-day with no opposition but the world, the flesh, and the devil: and that then is the field for the Church.

And now we are to look at our opportunities. What are they? They are such as God, in His own way and time, hath afforded. The question has arisen in the minds of very many whether a Church like ours, with so much of dignity and propriety, and with a liturgical form of worship, is suited to be the Missionary Church of the age, the pioneer Church, for that is to be the triumphing Church that can be the Church of the masses—is it such a Church? Why, with these obstacles all removed, with the Word of God as He has written it, with a ministry as Christ has appointed it, with a Scriptural evangelical liturgy, with the sacraments as the Saviour ordained them, we have all that Almighty God ever gave to anybody. Who has any more? If it is not the Church for the masses, the Church for the future, the pioneer Church, where shall we find it?

I think one advantage of this Jubilee occasion is to bring these dealings of God with us so clearly before our eyes as to bring with it the sense of the obligation that rests upon us to do our duty in this regard. Since the formation of this Society how has God dealt with this country? We must keep those things closely together and before the eye of the mind. He has annexed a large portion of a neighboring republic, and has opened the way from the Atlantic to the Pacific. His own hand hid in these western mountains that treasure, the discovery of which would call millions across the continent, and so, where we had no field when Dr. Kemper was appointed Bishop, we now have no less than six Missionary Bishops, and within his original domain we have as many as ten or twelve Bishops, with five or six organized dioceses. God did this in order that the Pacific coast might be inhabited, and the Church should turn her attention westward, and westward she went. And then, again, in the course of time, He revealed another treasure half way across the continent, in the Rocky Mountains. And that caused another exodus from the East, and the whole Plains are now being peopled from the Atlantic to the Pacific. This is our opportunity, and in the discovery and

progress that has been made in the arts by which these distant regions can be reached and peopled, here stands the Episcopal Church with her history on this day of her Missionary Jubilee. What shall be done? If this be an Apostolic Church, if we do have the Gospel, we must test our adaptation to the occasion, to the wants of the world, by this missionary experiment.

Now I speak from my own experience, and I hope what I may say may disabuse the mind of any persons here present, if there be any such, who have entertained the idea that the Church—just as the Church is—no more; that would be fatal; and no less,—is exactly adapted to the condition of things in this most extraordinary age. I have gone through that distant region, and I have carried the Prayer Book, and had the service, and I find that persons there who were entirely unacquainted with it, perhaps before they crossed the plains were somewhat prejudiced against it, receive it just as it is. My practice has been to have the regular service and then to stand up and preach the Gospel as well as I knew how to that people, and I have found it to be the case that after the service they would ask me to assist them in building a church or to send them a minister. This liturgy is precisely adapted to their wants. They are intelligent and they are willing to receive the Church just precisely as it is.

And now this is our opportunity. This is the opportunity afforded by God's providence; and how then shall we improve this jubilee occasion? I say by thanking God and taking courage, starting from this point with a sense of obligation upon us, that perhaps we have never before so fully realized, that ours is to be a pioneer Church, a Church for the masses, a Church that is to do for this great and growing country, north and south, and east and west as well, what perhaps no other body of Christians can do; and this without boasting, without any collision with any other body of Christians. It is simply then to do our duty. If God has thus preserved us in our integrity, and we have thus preserved the faith once delivered to the saints in its integrity, and we have it in such a manner as that it will continue to be preserved, and God has blessed us in this effort, shall we not go forward?

There is one other point in which our brethren of the various bodies are imitating us. In my travels at the West, I find a Presbyterian Bishop, a man who has been appointed superintendent, it so happens, of just the three Territories of which I am Bishop, New Mexico, Colorado, and Wyoming. What does he do? Sometimes he travels with me accidentally; and he is forming parishes, he is building churches, he is representing a jubilee fund of five millions of dollars. He does not keep that from the people that he has money enough. They find it absolutely necessary to have some sort of a Bishop. So, with crosses on the churches, with a liturgy in the congregation, with a learned ministry, and with a sort of episcopacy, they have certainly taken away all that seemed to hinder our progress.

And now, my friends, our Methodist brethren represent a jubilee fund because they are one hundred years old. Shall it be that this jubilee shall pass away and no such fund be created? May not the six Missionary Bishops, and our brethren at the South, and the Missionaries to the Indians and to the Freedmen,—shall they not represent that we have had a jubilee and that God has

blessed us, that he has united us, and that He has given us this treasure and we give this Gospel, and so with this fund we will help you build Churches, we will send and maintain Missionaries. If we can excite some such spirit as this, and then, above all, my friends, justify our own provisions by that measure of faith and self-denial for which our Methodist brethren and other religious bodies have been so distinguished; oh, give us their zeal, with all that we possess, with all this opposition out of the way, with a fair fight in the field with the enemy of all righteousness and no other enemy, with the very zeal with which our brethren of other denominations are acting, without any contention with them,—just give us that burning zeal that you know well enough about, that spirit of self-denial that shall set this Church all on fire, and open everybody's heart and hand, and then go forward with what we have, with what God has given to us, and for which we are so accountable, with these providential opportunities that are now opening; and who shall limit the results? The progress in physical, in material things, is almost magical; you would hardly believe me if I were to describe it. Improve this opportunity in carrying forward our Church. The opportunity is ours; the responsibility will be ours, the glory will be ours, if we justify all this by doing our duty; which may God grant, for His Son's sake. [Amen.]

BISHOP PAYNE'S ADDRESS.

The Right Rev. JOHN PAYNE, D.D., Missionary Bishop of Cape Palmas, Africa, was next introduced. He said:

Brethren, Although I stand before you as a missionary of thirty-four years' connection with this Board, and having been twenty years a Missionary Bishop, yet I was only six years old at the interesting period, to which reference has been made here, when this Missionary Society was organized. And I did think, my brethren, that on such an occasion as this, when we had met together to consider what the Fathers had done, it would be much more appropriate that the Fathers had spoken altogether. But, perhaps, the thought in inviting me to speak was this, that I stand here in my character and in my work as a fulfilment of that beautiful and inspiring saying of the blessed Saviour, "One soweth and another reapeth." "I have sent you to reap that on which you bestowed no labor. Other men labored, and I have entered into their labors. But he that reapeth, gathereth fruit unto life eternal; so that he that soweth, and he that reapeth, shall rejoice together."

I was delighted in looking over the account prepared by our late Secretary of Foreign Missions, to find that the spirit of missions, the spirit which ever burns in the true followers and disciples of the Lord Jesus Christ to make disciples of all nations, burned through that war which we had with Great Britain from 1812 to 1815, so that as soon as that war closed, the venerable Bishop of the Eastern Diocese at once bethought himself of communicating with that power to which we were lately at war, about the means of spreading abroad the blessed Gospel among those nations that were sitting in the shadow of death. We do not wonder, however, that at that early period he felt discouragement, and that he felt as if this American Church never could become a Foreign Mission-

ary Church, and that he even proposed that the funds raised here, and the Missionaries who might offer themselves to go out to the foreign field might be sent through the Church Missionary Society of England, and I am sure we all rejoice this day that that proposition was not entertained, but that the experienced Secretary of the Church Missionary Society at once advised, in order to keep alive the spirit of Missions in this American Church, that there should be an American Missionary Society organized here, and then for a number of years this matter was under constant consultation until, as you have heard, this present organization was effected in 1821.

And now the thought that is most interesting to us this day is this, that it was by virtue of that organization that these venerable brethren to whom reference has been made, were enabled to go forth to the classic shores of Greece; and it was in consequence of that organization that young soldiers of the Cross, in whom God's Holy Spirit, as I believe, had put the desire, might have that desire accomplished to go forth and hazard their lives for the sake of the Gospel before the then closed doors of the Celestial Empire and on the pestilential shores of Western Africa. And it is because we were thus enabled to go forth, my brethren, that we are permitted to return here to-day and report what God has done with us and how He has opened the door of Faith to the Gentiles in China, to the Gentiles in Japan, to the Gentiles of degraded Africa, and wonderful indeed has been the change along the despised, down-trodden coast of Western Africa during the generation in which I have been permitted to labor on that coast. At the beginning of that time I found a coast desolated by the foreign slave trade; I found a coast so insecure that after I went to the country a Governor of one of the infant settlements was killed in sight of that settlement by some natives, who attempted to rob him, incited by the sight of a little money in his possession, and just below me I knew the crew of an American ship to be cut off and soon afterward an English ship, and then an attempt was made to murder the crew of a German vessel and that was only prevented by the interposition of my colleague, the Rev. Launcelot B. Mr. nor of Virginia, who, at the risk of his life, conveyed information to the commander of the vessel, which enabled him to escape.

Now compare that condition of things with the present. Instead of that trade, there has grown up along the Western Coast of Africa, a lawful traffic, employing a thousand ships and three profitable lines of steamers. A cordon of settlements, English, American, and French, has been extended from the Senegal, south of the equator, down to the Niger river in connection with this commerce. The English language is spreading all along the coast and all through the interior. Thousands and thousands are learning in these settlements, and on board of these vessels, our English language, so that you can scarcely go into a village along the coast or some distance in the interior without being addressed in our own language by the Africans, and at these settlements Churches have been established and Schools, and in these Churches and Schools have been gathered twenty thousand communicants; fifteen thousand children are under instruction; twenty five of the dialects have been reduced to writing, while along the whole coast we have seen the country thrown open alike to the enterprise of the merchant and of the Colonist and of the Missionary. I have sometimes been called the Missionary Bishop of Africa. I was once in England, advertised as "the Missionary

Bishop of Liberia." I thank God I am about as much entitled to one title as the other. I am not only not the only Missionary Bishop in Africa, but at the present time our Mother Church has six Bishoprics in South Africa; and along the West coast she has three Bishoprics, one at Sierra Leone, another at St. Helena, and another at the Niger river, the latter presided over by a native, a man of whom the Bishop of Lichfield reminded us the other day; a native man taken from a slave ship has been trained in the Church of England, and now with a staff of native laborers is planting the Gospel and the Church all along up the Niger. Such is the wonderful change that has been wrought in this part of Africa. And now as if God's own hand and God's own voice were calling this American Church to do her part in the evangelization of that country, He has caused to go out from this country, twenty thousand colonists who have been scattered along three hundred miles of the West coast of Africa on the border of what is the most populous portion of that great country, for I maintain that the grain coast and the country East of the grain coast, is the most populous portion of Africa.

As I said, God has sent over those 20,000 colonists, for whom we are bound to care just as much as for the freedmen of this country, the freedmen of this city, or any portion of our own colored population. And all the more, because those colonists are to be the basis for the operations of Christian revelations in that part of the country. Thank, God, I have been laboring, and not without success, to prepare those colonies to be the base of Christian operations in that region. I have succeeded during the years that I have been connected with the Episcopate, in establishing eight churches in these colonial settlements, in which are between five and six hundred communicants. There are at the present time, eleven indigenous clergymen filling these churches, and some of the native stations, and besides these, sixteen or twenty catechists and teachers connected with the missions. But then what is this?

I was exceedingly interested in a remark which fell from the last speaker last night, that if the Church would give him money to build a certain church now, he would promise them faithfully that in so many years he would ask them for just the same sum of money to build another church. That is the very principle on which the missionary operations ought to be conducted. Just because God has done so much for us, we are called upon to do tenfold more.

Dear friends, I am now, after a connection of 34 years with that country, to resign this Bishopric. I look to this Church, I look to this Convention, to appoint a successor. I look to this Church, moreover, to authorize the Liberian Church to have a Bishop of their own selection; but besides the 5,000,000 natives spread out north and east of Cape Palmas, in the missionary jurisdiction there, if we go to the north and north-west of the Liberian settlement we find the Joloffs, the Mandingoes, the Vuis, and all the most populous nations of western Africa coming down to the very centre of the country. I would also ask for a Missionary Bishop with a competent staff of laborers to go and establish a mission at Cape Mount, a point to which these people come from the interior to find the Mahometans, who are now acting as missionaries, that they may have brought to them the truths of the blessed Gospel. When I landed at that place, I found a Mahometan missionary there laboring amongst those Pagan people. You may form an idea of the extent of their missionary opera-

tions, when I tell you that lately when a Mahometan priest died at Cape Mount, a native came from the far interior, from about Timbuctoo to Gambia, 800 miles above Monrovia, took the steamer there and came down to Monrovia to bury his comrade who died as a missionary near Monrovia. This will indicate to you how extensive are the Mahometan missionary operations in that country.

Now I would recall to your minds the pregnant words of that Missionary who has just addressed you, one of the grandest men whom God has ever given to this Church, when he told you that if you talked about the failure of Missions you had no right to use any such word while you used the instrumentality that you were pleased to send out to accomplish the work. How can you talk about the failure of Missions when you have at this very moment only one Foreign Missionary engaged in the work in Western Africa, the Rev. J. G. Auer, working like a horse, working, I fear, to his destruction, all alone. At the station which I left is the only Foreign Missionary representative of this Church. Shall this continue to be so?

And now I must not speak longer. Let me say that what has taken place encourages us, dear brethren, in this our jubilee, to trust in that God, trust in that Head, that living Head, who has promised, "Lo, I am with you always even unto the end of the world." We fail, we die; instead of the fathers are continually the children. As I stand before you this day, apostles, prophets, martyrs, confessors, missionaries come upon the stage and die, but Christ abideth ever to inspire His people with the spirit of His all-comprehending love for all mankind. He liveth ever to inspire them with zeal to endure to spread abroad throughout the world the light of the everlasting Gospel; He liveth to inspire them to be co-workers with Him. You shall see of the travail of His soul and be satisfied in the extension of His Kingdom from the rising of the sun to the going down of the same; and so we may believe, while we say and sing:

"The Saviour, when to heaven he rose,
In splendid triumph o'er His foes,
Scatter'd His gifts on men below,
And wide His royal bounties flow.

Hence sprang the Apostle's honor'd name,
Sacred beyond heroic fame;
Hence dictates the prophetic sage,
And hence the evangelic page.

In lower forms, to bless our eyes,
Pastors from hence and teachers rise;
Who, though with feebler rays they shine
Still mark a long extended line.

From Christ their varied gifts derive,
And, fed by Him, their graces live;
Whilst, guarded by His potent hand,
Amidst the rage of hell they stand.

So shall the bright succession run
Through all the courses of the sun;
Whilst unborn churches, by their care,
Shall rise and flourish, large and fair."

In inviting you to engage earnestly in this work in Western Africa, we can tell you of no great nations to be born in a day, as you are continually told of here

in this western country; but we can tell you of nations already born, nations teeming with human beings, made in God's own image; capable of knowing, of loving Him, and of enjoying Him forever. We can tell you of no great railroads that are going to be built, no great cities that are rising, no such things as will contribute to your honor and greatness and glory; but we can point out to you poor, miserable wretches lying by the wayside, all beaten to death, and ask you whether, like the Priest and the Pharisee, you will go by on the other side; or whether, like the Samaritan, you will go and take up these poor wretches and bind up their wounds. We can promise you no ease, dear brethren, but we can promise you crowns of glory. We can promise you that you may, by returning these people to righteousness, put them as stars in the crown of your rejoicing in the day of the Lord Jesus. We can promise you this unspeakable honor, an honor which I trust the Church will even covet, of filling up that body for which Christ died—His Church.

"The Son of God goes forth to war,
A kingly crown to gain;
His blood-red banner streams afar:
Who follows in His train?

Who best can drink His cup of woe,
And triumph over pain?
Who patient bear His cross below?
He follows in His train.

They climbed the dizzy steep of Heaven,
Through peril, toil, and pain;
Oh, God! to us may grace be given
To follow in their train.

ADDRESS OF BISHOP COXE.

The Right Rev. Arthur Cleveland Coke, D.D. LL.D., Bishop of Western New York, was next introduced, and spoke as follows:

Right Rev. Father, and you, my Christian brethren, I assure you that I assume a very great responsibility, that some of my brethren will bear witness I did not seek, in venturing to add another word to what has been said already by those so much better qualified to speak, to prepare us for that which follows next, the blessed memorial of the Great Missionary who, though He was rich, for our sakes became so poor. I rise impressed with responsibility, overwhelmed by it and not daring to utter another word, except as I look up to the Spirit of God, who seems to me to be present with us in a peculiar manner on this jubilee occasion, and entreating Him, from the depths of my soul, to touch my unclean lips with the coals of His altar that at least I may speak no word that shall mar the sanctity of this Pentecostal occasion.

Where shall I begin, or what shall I say? My heart is full, and the subject, like those loaves beneath the Saviour's hand, has been growing, growing as I have sat and listened, until now the very fragments fill twelve baskets, and I know not where to gather something proper to present in token of the miracle, and in token of the presence of Him who works it.

I was reminded that it might be my happy lot to mention some of those bright and glorious names which illustrate the annals of our little missionary history. I was reminded that it might be proper for

me to speak of some of those who, taking their lives in their hands, have gone forth to Africa, there to die and to leave their sweet names to the Church of Christ to shine as the stars forever and ever. I was admonished that I might bear a tribute to the missionary zeal of the missionary bishop, Bishop Boone, who began so large a work on its enlarged basis in China, and who, though he is dead, is yet speaking through the labors which he organized, to millions of our fellow men, and who shall speak as long as it shall please God to command a blessing on the labors of one who is now there toiling to interpret the blessed Scriptures that they be scattered like leaves for the healing of those nations which we know as the one people of China. I was reminded of what I might say of those tender women who, leaving their Virginian homes, their homes in the South and their homes in the North, went forth to Africa and scarcely touched those arid plains before they were met as the angels of God met Jacob when he went on his way, that they might be called to go up higher. How many of them, in the language of one and all, died with the sweet testimony on their lips: "It is not with regret that we came to die in Africa, but we bless God that we were permitted to come here to die for a testimony of Jesus, if we can do no more."

But time fails. Right Reverend Father, and you, my Christian brethren, one and all, what need of speaking names that are familiar to us as household words, and what need of any memory of them here on earth in a formal manner at such a moment as this when we reflect upon the absolute nothingness of human labor; when we reflect upon the nothingness of human names, and when we remember that though we have no other right than to feel that these are nothing, there is One who cherishes them; there is One who keeps them; there is One who will bring them forth at the grand day which shall consummate all things, and make them sparkle as jewels in His crown? What need of tributes here on earth when the Lamb of God has in reserve for them a crown of glory to give them at that day amid the gratulation of thousands crying, "All the glory be His now and forever." Yes, it shall be my privilege to give this as the closing thought of our Missionary meeting this morning. All the glory is His! When we look over the record (apart from the record of those consecrated lives, the lives of our faithful Missionaries, those who remain, and those who are now gone), what have we of which we can boast? What do we see of which which we can speak with any glory? All the glory must be His who finds man's extremity His opportunity.

As I have listened to what has yet to be done, as I have looked at the poor, feeble resources which we possess, even if they were all consecrated to Christ, I have felt that I understood as never before, the language of Moses, the man of God, who lived fifteen hundred years too soon to see the Incarnate Messenger, the Great Missionary, but who said, as he spoke to the angel in the bush, when he received his commission to go and stand before Pharaoh, and take his rod in hand and work wonders in His name: "I am a man slow of speech; send now, I pray thee, by the hand of him, thou wilt send"—as it is in the more forcible original, "send now by the hand thou wilt send, the right hand of the Lord that bringeth mighty things to pass." That is the prayer which fills us here, I am sure, on this occasion, one and all. May He who gave the commission which has been so feebly

borne by commission, successively, from the Apostles—may He interpose in some way inconceivable to us but known to Him—may the right hand of the Lord, in some way, be made bare before the nations that all flesh may see the glory of God! May Christ himself come and take the cause into His hand and His be all the glory!

Beloved brethren of this Apostolic College, and you my Christian brethren before me, I believe that we are in one of those periods of prophecy when great things are at hand. I believe that the spirit of God is passing over the nations, and I believe that while the hosts of the world, the flesh, and the devil are marshalling themselves to fight against our Lord and His Christ, the jubilee trumpet is blowing to call all the heathens to the standard of the Messiah, who shall unquestionably laugh them to scorn, who shall have them in derision, who will abase every name that exalts itself against His sceptre and His crown.

If you will bear with me, right reverend fathers, there were one or two thoughts suggested which spoiled all the speech I had intended to deliver, but which I will now venture to refer to, because it seems to me that this yet remains to be said. Thank God I am glad I am as old as I am, and I hope, so much nearer to a blessed rest. I am glad that I am as old as I am, because I am thankful that on this blessed day I can remember the past as well as look forward to the future, and can appreciate all that has been told us concerning the enthusiasm of that day when the victory of Navarino quickened the sensibilities of the Christian world in behalf of the Greeks, and when these venerable men went forth on their glorious errand to do that of which the future blessings are incalculable. But I can imagine some of the present generation who do not remember the days of the fathers, of our Joshua the patriarch. I am afraid that those of another generation may say, "Why was our Church so slow in the field, why was our Church so sluggish to wake up to the Missionary idea; if we were an Apostolic Church why did we allow any American Board of Missions to go before us." That is a question which is sometimes put to me (and perhaps to you my brethren), in my own Missionary journeys.

The beloved Bishop, who is so gloriously carrying the banner of the Church so far West, said that we had six Missionary Bishops. That was the only thing he said which struck a chord that I could not answer to. Are we who have dioceses at the East to be denied the name of Missionary Bishops? We are all Missionary Bishops, are we not? What one of us would forfeit that name? What title could we accumulate on the mitre that would equal that? Are we not all Missionary Bishops, Rev. brethren? I am sure that is the only one thing we cannot give up. We do not wish to be lords over God's heritage, but we wish to be Missionary Bishops as well as your servants for Jesus' sake; and that is a title I will never resign until my dying breath, God being my helper.

I say, that as I go on my Missionary labors very often, people come and say, "Why are we so slow, and why are we so feeble in this work?" My dear friends, my answer is, "Do you reflect that the miracle is that we are here at all? We should not have been but for the Missionary idea."

The very question why it was not given to our great and powerful Church to enter earlier into this business reflects the glory of our missionary history. Is our Church held responsible by our countrymen for

greatness and strength and power and influence? Nothing of that sort was known when this missionary work began. Then our utter feebleness, our fossil character, made us their scorn and contempt—"the old English Church," as I heard it called, when a boy, very often—something that belonged to colonial times, and was dying out; something concerning which one of the earliest bishops that was consecrated by this Church said, "I am willing to do what I can for the rest of my days, but there will be no such Church when I am dead and gone; it will die out." And that most accurate statistician, the late Bishop of Maine—honored and blessed be his name, for he died a missionary, too—he was a missionary bishop—that most accurate chronicler surprised me many years ago, when he asked me, "Do you know the fact that our Church was much nearer extinction many years after she received the Episcopate than she ever was before? Do you know that after our first Bishops were consecrated, they saw the old clergy who had been in it before the Revolution dying and dying and nobody to take their places? Do you know that when William Meade told Chief Justice Marshall that he was about to receive orders in our Church, the chief justice said, 'Why, I did not know there was any such Church; I thought it perished in the Revolution.' Do you know that down to 1811 there was no increase; that about that time, if I recollect, Bishop Hobart mentioned to his diocese that a most hopeful sign now blessed the Church—three young men were offering themselves as candidates for the ministry? Do you know the fact (said Bishop Burgess), that at that time, through the length and breadth of this country, there were scarcely any candidates for Orders at all? Do you know the fact that, down to 1813, there was no perceptible increase of our Church? Do you know the fact that, until 1818, our Church, cut down to the very roots by the Revolution, had shown no signs of increase and outgrowth." This, says that learned and accurate authority, was the case. 1818 saw, by the grace of God and by the visitation of His mercy, some promise that the Church would pass the great cities and the seats far scattered of old colonial churches, and perhaps go forward a little in the land. The idea of such a Church taking the lead in missions was, indeed, a good one; but the missions were here. She was a missionary Church pushing her missionary work here, and pushing it with everything organized against her.

The American Board of Commissioners sprang into life from the exuberant wealth and prosperity of forms of Christianity that had been founded here, and had flourished among our people for two centuries. Let us thank God for the good that is done by any agency whatever, and all honor to that Board. But we are not going to keep back the fact that its early triumphs, sustained by the wealth of their wide-spread people, sustained by the wealth of the popular mind of America, which saw no other channel for reaching the heathen, nevertheless owed its blessed enthusiasm to sparks that were kindled from our altars. The example of that glorious youth going from St. John's to distant Persia, to bear testimony amid those who knew him not, to the name of Jesus—the example of Henry Martyn—that it was which fired the English-speaking race with enthusiasm for the missionary work. The example of one who, as he walked

through the streets of Shiraz, hooted at as a Christian dog, by those who were lower than the dogs in the streets, said simply this, "If, on my cheek, for Thy sake, I am to bear shame and reproach, all hail reproach and welcome shame, so that Thou remember me." The example of that glorious preacher who sleeps in his distant field under a stone where so much genius rests, and where such a love of Christ is sepulchred; the example of Claudius Buchanan, who came to warm the people of England by telling them of the Christians of St. Thomas, and to open a field for Christian labor throughout the wide domain of imperial England, that, and the example and the song of the illustrious Heber, going like an angel of light to do his Apostolic work in India,—that song gathered into one fold, as it were, the hearts of all who love the Lord Jesus Christ. It was more that, perhaps, than anything else that we can call human instrumentality, which roused the people of America and called them to throw their gifts for the evangelization of mankind into the only channel which was then open,—that of the Board of Commissioners. All honor, I say, to their zeal,—all honor to what they have done for Jesus. But let us not sit still under a stigma which we do not deserve. Let it not be said of our holy Church that some portion of that light came not from her.

Well, then, in 1818 this Church first began to have a life. In 1821 your missionary work began. The very moment that she saw that she was alive, not dead or sleeping, but living and standing up in the name of her God, that very moment she began to live, and her motto was, from the very beginning, "Let us do good unto all men, especially unto them that are of the household of the faith." That was the principle that sent Robertson and Hill to Athens, and was it not a beautiful sentiment? It has often come to my mind when I have read over and over again that beautiful story of the young woman who, passing to the dungeon where an aged father was expiring, doomed to die by starvation, fed him with the milk of her own breast, our first and sweetest nurture, and she was seen in the chamber of captivity at this work of love. So the young mother, the American Church, no sooner discovered that she was a mother, and that in her breast was the milk of the pure Gospel, than she bared that sweet bosom first to old, captive, and expiring Greece in that romanesque town of Athens. Our Church has nothing to boast of, but we must not sit still and bear reproaches when the Lord Jesus has done such things by us.

Time fails; the altar waits; the dear memorial of His dying love is to be administered. What word can I say more? "Do this in memorial of me." I believe the critics are not altogether decided as to what is the meaning of "jubilee." Some say it comes from an old root that signifies remembrance, and that justifies not merely those tender recollections in which we have been indulging, but above all things the sacrament of remembrance.

Venerable fathers (addressing the Rev. Drs. Hill and Robertson), you, earliest Missionaries of the Church,—a title certainly glorious as can adorn the brow of any one living,—as you see us kneeling around this common altar, what must be your reflections? You went forth from that little Church despised and looked upon with contempt by the people of our country, because they did not understand it, and they do not yet. You went forth when it was but small. You come back to see it now. Look at it as it is. What hath God wrought? You see, it is true, no more among us that John-like saint, Bishop White, who, when I first knew the church, sat where you, Right Rev. father (Bishop Smith) do, presiding over it. You see no more that the loving old Bishop Moore, of Virginia. You see not other John-like countenance, of a different type, any more that somewhat more austere, but yet equally lovable type of an apostle, Bishop Griswold. You see others who have risen up to take their places, who feel indeed infinitely less a claim upon your regard than that which belonged to them, but you will bear witness, I think, after this Pentecostal day, that they are animated by the same spirit, that the Lord Jesus has blessed their words to the perpetuation of His Holy Spirit, that when they went up like the chariots of Israel and the horsemen thereof, the mantles that they scattered sevenfold multiplied have not fallen upon those who were entirely destitute of the spirit that rested upon them. You see; your eyes behold the different parts of the earth knit together in this assembly. You heard the letter in which the isles of Greece saluted the laughing water of Minnesota. You see the Missionary who has preached the Gospel on the burning sands of Africa, and you see the Missionary who has stood up for the poor Red man, in the spirit that Selwyn commended to us the other night. You see those who have pushed the Gospel to the Pacific waves, and have planted churches where, when I was a school-boy, it was supposed there would not be within a century the homes of civilized man. God has wrought all this.

And you see something more, my venerable friends and brethren. You see that God has multiplied our nation and increased the joy of His Church. You see not indeed mitres of fire resting upon these heads, but you have seen proof that the same spirit burns within. You have seen around this altar mingle the dews of the Gulf with those of the upper Mississippi, and other dews responsive flowing from all these aisles. You have seen a united House of Bishops. You have the messenger of the Lord of Hosts to the American people seeing eye to eye and laboring for the one great promise, that the Lord shall bring again all the people to the unity of Zion. You have seen, I say, something better than the dews or the laughing waters that have been referred to in poetry, you have seen here in this Apostolic college and in this whole congregation the dew of Divine grace that gives us promise that here the Lord commands His blessing even forevermore.

Oh, I must end with no inferior name; I began

with the name of Jesus; it has been, I trust, the key-note of all that I have said; and on that name, which is endless, my strain shall end. I have been looking, while some of these speeches have gone forward, at that glorious hymn of the Epiphany, which concludes in our common version with extraordinary and somewhat mysterious language, "The prayers of Jesse the son of David, are ended." On what note did the sweet singer of Israel stay the song? It was when he had seen the far future of a converted world, when he had said of his greater Son, "His name shall be pure forever among all posterity that shall be blessed through Him; all nations shall kneel before Him; all kindred shall do Him service; blessed be the name of the Lord, for all the earth shall be filled with His glory forever, and blessed be the name of the glorious Majesty forever and ever." The prayer of Jesse, the son of David was ended, he could ask no more.

We anticipate the day when we shall all sing the song of Moses in the land of God. God grant we may never be disappointed. If ever I have felt on earth that I had indeed a prelude to that glorious outburst of joy without measure, it was when, in Westminster Abbey, I heard at the conclusion of the great missionary meeting the strains of the Halleluia chorus. Not unworthily may I mention that remarkable composer who left to the English-speaking race the almost miraculous music of the Messiah. It is related of him that as he composed those wonderful strains, as he jotted down what his ear was catching from the seraphim and cherubim, he did it with the idea, not profanely perhaps, that he was inspired. When we have heard those ravishing strains and the words of prophecy married to such immortal song setting forth the Messiah, the man of sorrows filled with grief, Jesus who died for man, yea, rather who is risen again—when I heard the astonishing raptures of his song, "I know that my Redeemer liveth," it seemed to me as if indeed he might have been in some measure inspired. But more than all I say, at the conclusion of a missionary meeting, I wish it could be rendered with the choicest music of old England, so that echoing arches and long drawn aisles could be filled with the refrain. Hallelujah, forever and ever, Hallelujah, Hallelujah, for the Lord God omnipotent reigneth King of Kings and Lord of Lords."

EVENING SERVICES.

The Jubilee Services were continued in the evening in the following order:

1821-1871.—JUBILEE

Of the Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States of America.

EMMANUEL CHURCH, BALTIMORE,
Thursday, October 12, 1871, at 7½ P. M.

MISSIONARY SERVICE.—Selection IX.

Lesson—*Matt. xxv: 31-46.*

Deus Misereatur.

Creed.

Collects.

Hymn 75.

ADDRESSES.—Rev. NOAH HUNT SCHENCK, D. D., Rector of St. Ann's Church, Brooklyn, L. I.
Rt. Rev. DAN. S. TUTTLE, D. D., Missionary Bishop of Utah, Montana and Idaho.

Hymn 100.

Rev. BENJ. A. ROGERS, Rector of St. David's Church, Austin, Texas.

Rt. Rev. H. B. WHIPPLE, D. D., Bishop of Minnesota.

GOD SPEED TO MISSIONARIES, RETURNING TO THEIR WORK.

HYMN.

All Hail the pow'r of Jesus' name,
Let angels prostrate fall,

The following addresses were delivered :

ADDRESS OF REV. DR. SCHENCK.

The Rev. NOAH HUNT SCHENCK, D. D., of Brooklyn, L. I., was first introduced and spoke as follows:

It was but a few weeks since, that I stood in the midst of that glittering French capital, which has been for so many years the emporium of the world's fashion, and where I suppose the embellishments of art are scattered in more lavish profusion than in any of the great capitals of the world. And as I saw in the mouldering ruins around me, in the wreck and ravages of war, the mournful spectacle of a city, if not a nation, done to death by suicidal hand, and contemplated the violent contrast between the recent past and the pathetic present, (for it was but a little time before that I had seen Paris in the great whirl of its gay and graceful, its beautiful and brilliant life,) I could but feel that here were the sad results of what we might call a centripetal Christianity; a religious system that revolved around the centre of self; a Christianity, (if indeed this civilization be entitled to the name,) which had degenerated into a cold and callous materialism, a bold and brittle infidelity, a hard and hollow idolatry; a Christianity which had departed so far from its original models as scarcely to be recognized under the masks and in the drapery in which it is there presented. And now the thunderbolt had fallen, and here before me was the riven trunk, and around me the scorched and blackened and dismembered limbs. He who can see a God in history at all, could scarcely fail to recognize the bared arm of the Almighty in these the fearful fruits of His aroused wrath.

But three or four years ago in this same city of Paris, at a time when the art and the industry of the world sent their contributions to make up a great World-Fair, in the midst of the Industrial Exhibition, there was a temple erected for Evangelic worship, from which went forth as from a trumpet of no uncertain sound, the clear distinct accents of the truth as it is in Jesus. The word thus declared was as a sound going out into all the world, and doubtless it has accomplished that whereunto it was appointed. But alas, poor Paris drowned out in the songs of her revelry the sweet voices of the gospel. The great effort of the *Salle Evangelique* came to an end. The centrifugal forces of that gospel engine have gone circling in grace and glory round the world, while Paris, hugging close the garments of her selfish and sensuous religionism, has found them to be but as a Nessus shirt, consigning her by a self-incendiarism to the flames of moral and civil and national conflagration.

I am here to speak to-night by way of introduction to those who shall presently claim your attention

upon this great jubilee occasion, upon this half-century Missionary celebration, when we recount the God-given glories of the past, when we look out upon the wide field spreading before us, and inviting immediate spiritual husbandry, and when we indulge an out-look, which I trust may prove to us as a Heaven-descended vision.

What I have to say I shall divide into the *missionary idea*, the *missionary act*, and the *prophetic mission*.

The *missionary idea*, beloved, is eminently, thoroughly, from center to circumference, in its whole structure, in its entire administration. *Christly*. We know nothing of it except as it radiates from the great central orb of our religion, Jesus Christ. We know Christianity only as the impartation of a power which Christ himself brought into the world, and which He has communicated to others for administration. When it is kept in the places of its original deposition, when it is clasped closely in the possession of those who originally receive it, it is an influence for good to the individual, but it has no office at all for the elevation of the race or the renovation of the world, so long as it is thus fettered and bound. The leaven which is presented to us in Scripture as the illustration of the diffusive power of Christianity is either leaden or electric. When it is kept away from contact with that which it is to enliven, it exercises no vivifying power, it wields no benedictory influence; but when it is taken and put in the few measures of meal, it then becomes as it were electric, and runs through the mass, and with diffusive power gives new character and specific and eminent value to that with which it commingles.

Just so it is with reference to all the great agents in the material world. Their value is discovered not in the accumulation and retention, but in the impartation of their power. Thus it is with steam. Its expansive properties avail nothing until the valve be lifted and the wheel be turned.

And so the bubbling battery may do nothing more than merely feed the hungry acid with its metallic aliment. But connect the wire and the winged Mercury of science flashes through and almost annihilates the reaches of space, bounding over continents and threading the caves of ocean. It is the contact, the connection of the thing that has the power with that which is to convey or administer it, that gives it practical reality and valuable application to the alleviation of suffering, the supply of want or the bestowment of blessing. It is in this wise and in this wise only that we find the value of those great material agents that have been discovered and applied in the progress, development and decoration of our modern civilization. And it is just in this analogy that we are to observe the great corner-stone thought presented to us in the economy of our Church life, and which we denominate the *missionary idea*.

But let me further say that our Blessed Lord came not only to those who were of His own lineage but He sent forth the proclamation of Divine amnesty to all the nations. He gave to his own first, and then to the Gentile world that message of salvation which He came to proclaim. He held it not within the circuit of the family in which he had his birth, nor in the little society where he was reared, but He sent it forth upon the wings of His own celestial eloquence; He gave it to the world by those messengers whom He commissioned to declare it, He flashed

it to the ends of the earth that all men might have life and immortality through the light of the Gospel. This is the primitive and Christly idea of our religion; not a thing that is to be retained, and made to revolve around self, but that is ever to be sent off in tangents of blessing to the race, and dispensed to the ends of the earth, that the dews of Heaven might everywhere rest upon the arid plains of our poor fallen humanity.

What I now say, of course, includes, to a very great extent, the further aspect of the missionary idea already suggested, viz: its *catholicity*. The question, "who is my neighbor," is one that I think suggests itself to every man who feels within himself the stir of the immortal life. He asks at once who it is to whom he may carry the message of these better things. He turns to the right hand and to the left that he may find those who shall share with him the inestimable blessings that he has received from his Heavenly Father. He does not confine himself to those who are the members of his own household. He is sent, rather, like the restored demoniac of Gadara, first to his own family, but then impelled to go through all the cities of Decapolis, lifting up voice and declaring the wonderful things of God. There is nothing selfish or self-revolving in the Christian idea, but it is designed to go on wings of love and in messages of mercy to the ends of the earth and accomplish the great purpose of the world's moral renovation. What a beautiful illustration, do I not see here in this audience to-night. We have those around us who could stand up in their places, on this platform or in these pews, and tell of the progress of the Gospel of Christ in Rome, in Paris, in China, in Africa, in the Indies, and in the spreading West. All parts of the world, by the centrifugal power of this Gospel, which we declare, are made to know the beauty of its truth and to feel the power of its merciful and catholic applications.

As I turn to contemplate the *missionary act*, I would give expression to a thought for which there is, I am sure, a very wide and sympathetic constituency. Has it not been found to be a great mistake in theory as in work, this arbitrary division of missionary jurisdiction into "foreign" and "domestic?" When we are told that the field is the world—that not the Jew but the Samaritan was the neighbor, in the sublimest sense of that relationship—when from our study of the Scriptures we come to comprehend that he who dwells in the uttermost parts of the earth is just as responsibly related to us as he whom we meet in our daily life, and upon whom the hand of charity may be laid with greatest facility—that we owe a debt alike to the cultured Greek and the rude barbarian, to men of all races, to those of every caste and condition—I cannot, therefore, see the Gospel philosophy in that proposed separation of the missionary work into departments, with defined boundaries.

If the field is the world, all who dwell in the world are alike in the field, and there are no partition fences.

When we heard from this platform, this morning, the touching story of that Greek girl who had opened her eyes to the glories and her heart to the blessings of the truth of Christ, and who, yielding to the saintly yearning of her soul for world-wide communion with all lovers of the Lord Jesus, sent to the far off wilds of our Northwestern America, up to the savannahs of the land of "laughing water," a letter of love, a message of sweet and holy sympathy, to a

daughter of the forest and plains,—O, how deep seemed calling unto deep, how the ends of the earth seemed brought into Gospel proximity, as thus from classic Greece a love tone rose upon the air, and, wafted westward, was borne across the sea, and echoing along the mountain slopes, and rolling over the verdant valleys, floated on but now upward toward the sympathetic ear of her whose home was now more beautiful than the flower-gemmed prairie, more glorious than the setting sun.

We cannot, therefore, speak with propriety of a domestic and a foreign field, for love in Christ breaks down barriers and annihilates space.—Is not the time near when, in the Church's administration of the missionary idea, this distinction in terms and this division in jurisdiction shall all be obliterated—when we shall know the field, not as American, not as African, but when we shall only know the field to be the world?

I remember that I am speaking at this moment of the missionary act, and I would hold up in association with this the fact that the age in which we live is pre-eminently the age of work. We do not denominate this epoch, as in past ages the eras were entitled, by illustration of the finer or baser metals. This is not the golden age; nor is it the age of iron. But our epoch must be known as the *age of work*. The mere theorist in these times is regarded mainly as a dreamer. The question of our day is not so much what is the theory of a thing, but how does it work—not what is the logic of its mechanism, or the law of its science, but what is the result of its application. It is not Watt, who saw the kettle lid lifted by the expansive power of steam, that lives upon the tongues and in the grateful hearts of men, but it is Fulton, who applied this property of heated vapor to the propulsion of the steamboat; it is Stephenson, who sent the locomotive rushing along the glittering parallels of the tramway. And again, it is not Henry, who discovered the telegraphic value of the electric circuit, but it is Morse, who sent the mysterious current through the thought-bearing wire, whose name is most intimately associated with this great contribution to commercial economy. It is not he who broached the idea that it was possible to lay a line along the caverns of the deep, and so connect the continents in daily converse, that is known to the tongue of fame and the heart of gratitude, but it is Cyrus Field who laid the line and tied the continents together.

Yes, this is an age of work. And therefore when we come up to the annual sessions of our missionary Board and to our Triennial Council, bringing before each other for review, the lessons we have learned, the theories we have framed, the outlooks we indulge, and the programmes we have sketched, we give little ear to any voice save that of the men who can tell us what *they have done* for the Lord and the soul,—men who have gone to the tents of the red man and the cabins of the emigrant, and who bring back the trophies of gospel conquest, men and women who have been to Greece and to the Indies, to the fatal shores of Africa, and to the high places of an almost pagan papacy, and who returning richly laden with the spoils of victory, can put their armour off and fight their battles over again in our places of deliberation and holy worship. These, the men and women of work, are the great missionary benefactors of the race. Here is our practical appeal now, as always, from the effete to the effective. Here we have the call in tones modulated by the inspiration of this working age, not in such terms as, come with us and we will *show*

thee good, but in those other words of present and practical power, come with us and we will *do* thee good.

The great political sage of Massachusetts, introducing the noblest forensic effort of his life, suggested, you may remember, the illustration of the mariner, who, tossed for long days upon a stormy sea, availed himself of the first lull of the tempest to regard and repair the disasters caused by wind and wave, and gathering wisdom by experience, so to order the ship and lay her course, that she might the better breast the surges and drive home more surely to her port.

So now, when we come together to lay our offerings upon a common altar, and compare one with another, our recent or more remote experience in missionary labor, as we reflect upon the fifty years of organized missions which our Church has administered, and pour out before God a libation of love and gratitude on this great jubilee occasion, is there not something which the storied past has taught us of the weakness and incapacity of effort, are there no wise and clear voiced tuition touching the causes of our comparatively few and feeble results, and showing forth distinctly what fresh elements may be combined, and how we, standing here with the anointing of a *prophetic mission*, may take courage and thank God,—because we have seen and removed the causes of failure, and with newly enlisted helps, now have a prestige and a prediction for grander successes, because our armor is more brightly burnished and is better braced, because we feel that we have munitions for a wiser, braver, and more energetic warfare?

If I may be permitted a suggestion—and I present it with very great diffidence—I would say that there is one thing, at least which the history of missions very distinctly teaches us. What I mean is, that in matters of personal sympathy, the missionary heart and voice have been defective, and moreover that in what may be called the material helps, there has been great neglect in enlisting and incorporating them.

When the great pioneer Bishop of Illinois proposed establishing the Church on the broad prairies of the west, and preparing for still further incursions upon the magnificent domain that stretches out towards the setting sun he said it was impossible ever to evangelize the great valley of the Mississippi or the out-lying regions beyond except by an indigenous ministry. Men, he claimed, must be raised up to the work of preaching the gospel who were born upon the soil, who understood the character of the people, who were one with them in all their social tastes and engagements, who entered into the great social compact of that western land so minutely and so sympathetically that they would exercise their ministerial office not as ecclesiastical emissaries, sent from the opulent and elegant seaboard cities, reared under such different social influences as quite disqualified them from breaking bread at the domestic board, or mingling in the social commerce of life, or ministering upon the platform of a common and sympathetic interest. The theory was, and its truth has been vindicated, that the law of personal magnetism must be recognized in the missionary as in all other aspects of the gospel work, and that the man who prays and preaches must be prepared to clasp his fellow-man, to whom he brings the gospel, in all the full and flowing affection of brotherly love.

Now let it be known that this very day the greatest missionary success upon the face of the earth is that

of Liberia—that free State in Western Africa, which, through our great Colonization Society, was recently established. Here is a State born in a day, where every citizen may be a freeholder, where are churches and schools, and all the appointments of a high civilization. There every man may feel the dignity of his personal manhood. There every man knows that he is not merely the object against which a Gospel trumpet blows, but that he is the material which is being manipulated under the influence of a Christian civilization; that it is not only his soul for which the Christians have concern, but that it is his body, his mind, his family, his home, the defences and decorations of the place where he dwells, the appointments and attendants of his heart-life and home-life in this world. There you have, to my mind, the normal idea of Christian missions; and I tell you, my friends, sooner or later we shall all come not only to understand, but to accept and act upon this ideal. As it is said, in the common and half humorous parlance of the world, that the way to a man's heart is often through his stomach, just so you will come to find, sooner or later, that the way to a man's soul is through his heart much more directly than through his intellect—that you may convince him promptly and always of the logic of Christian truth; but until you come with the magnetism of humanity, until you approach your neighbor saying, "Know thou the Lord," in the tones of loving and sweet affiliation, you will find that the great missionary act is a work but imperfectly performed, for that the fusion of love is as yet unexperienced.

The fact is, beloved, the prophetic mission must be held even with the progress of the age. It will not do for us, because we revere the primitive glories of the Church, or because we have had remarkable blessings of God upon the acts and works of missionaries in certain exceptional cases, or because the missionaries of fifty years ago did their duty faithfully, and were, therefore, fruitful in results, that, therefore, we must order our missionary methods according to these traditional models. We must not forget the fact that the world is being educated, and that Christian missions must be kept up to the level of the world's elevation.

How manifestly, how inevitably important, then, that we introduce into the missionary regime such reforms, and give it such fresh elements of the modern civil, social, scientific life, and charge it with such fresh inspirations of intellect, and enterprise and holy emotion, that those to whom we proffer the Gospel chalice, on whom we pour the blessing of the better covenant, may feel that these things come not from a cold, perfunctory hand, come not under an office organized by cold canons, and administered by one who comes professionally, but that it is as the gushing libation of hearts that are full of the love of Jesus, that it is the sweet tender of those who are allied to us by every tie of our common and sympathetic humanity.

I feel that we, as a Church, can go into the future (as we heard this morning from one of our pioneering Bishops of the Rocky Mountains, a man of tough muscle and tender heart) with a prestige, a power, and a push, that will give assurance of a campaign of conquest such as has rarely, if ever, been recorded in the history of any branch of the Church of Christ. We have within our organization so much to which so many other Christian bodies in days past, as well as in this age of ours, are continually aspiring. If

we will only make practical vindication of that true and enlarged liberality, that grand catholic Christianity, which are truly our own, if we will see to it that our franchises are not infringed by too much rigidity on the one side, or by a liberality which runs into license on the other, I think we may, under the favor of Heaven, here lift holy hands once more, make fresh vows of allegiance to God and duty, go out to our special and allotted tasks, send forth the missionary disciples of Jesus, by two and two, in their special lines of evangelic enterprise; and then can we not await, in prayer and faith, for the day of return, when we shall say, in the height of our spiritual gratulation, as did the disciples of old, "Lord, even the devils are subject unto us?"

We are celebrating to-day, with thankful hearts and in holy worship, the year of jubilee. We bear in mind full well that the idea of this Missionary Festival is derived from that great jubilee in olden time, when there were especial ascriptions of praise and glory to God, when the exiles returned from captivity, and those that were bound were freed from their fetters. Oh, shall not this reminiscence of sacred history be as a token to our own souls, demanding their liberation from the cramping fetters of sin that fret and chafe them, that we call back to us all those errant virtues and all those straying graces which once were ours, that once domiciled in the household of the heart were driven far, far away by our many infidelities, and whose absence now, on this day of sacred reunion, we so bitterly bemoan. May I not go further and ask whether this is not a suggestion to our own Church—a stimulating suggestion which occurred to me to-day upon the floor of this House, when we received the message from the House of Bishops—a message redolent with reconciliation and fragrant with the perfume of compromise, yet more odorous and eloquent, as it seemed to me, with the sublime and salient thought that, as this Jubilee day is for the liberation of captives, and for the recall of exiles, so should we devise such liberal things in the name of the Lord, that humbly and bravely vindicating the true catholicity of our Church, we call back to us those who are straying away in the wilderness paths of speculative doctrine and discipline—that we strike every shackle from the limbs of those who, still inside our fold, are smarting under the fetters that they feel or imagine they feel. This is the true temper of catholicity and love that ought to characterize our Church, and it is only thus in asserting these characteristics which are the Church's chiefest glory, that we may hope to receive the benison of Him after whom the *whole family* in Heaven and earth is named, and by whom they all are saved. And so it is from this, as well, should we accept a suggestion touching our defence of the truth as it is in Jesus. When there are so many who, in these times, are wandering away under the lead of science and vain philosophies into those wild erratic paths where the inherited truths of the Church are profanely called in question, those who think it the chiefest glory of their lives to arraign the orthodoxy of the age that they may have before men the poor glory of being reputed independent thinkers; O, shall not these be called back to the altar of God-given and time-honored truth, once more invited to kneel at that shrine where on its primitive pedestal stands the one great central and all-sufficient doctrine of salvation, viz., *the atonement for sin through the blood*

and righteousness of Jesus Christ, the great element of *expiation* being the highest and chiefest and most consecrate constituent in the composition of this great doctrine of our Christianity.

I believe that as we have come together not only for the legislation of the Church, but also for the sessions of the Board of Missions, and as in the midst of all we pause for the celebration of this joyous Jubilee, celebrating as we do the semi-centennial anniversary of the great missionary work of our Church, we ought to try to find in the sweet spiritual communion which here has place in the blessed fusion of our spirits here in the love of Christ, some sufficient solution for the problems that perplex us, some adequate power to remove the difficulties that lie in the way of our Church's progress. I stood upon the floor of this House to-day, and in conference with a brother representative from a far distant region of this great land, we agreed as though it was the mind of one man touching the sweet and compromising and conservative and Christlike spirit that appears to be actuating the members of our Church who are here assembled, whether as representatives of the dioceses, as members of the Board of Missions and the great Societies, or as mere spectators of the deliberations of the Church. In such religious services as these in which we are engaged to-day, when the heart of the whole congregation flows together in Christian love, when we all feel that the love of Christ constrains us, when we feel as though we in the Church of the first-born on earth are enjoying glimpses of the glories that await us in the Church triumphant in Heaven—if it is not through such sweet experiences as these, if it is not in such blessed communions that we are to find the solution of all the difficulties of our Church life—believe me, we can find it nowhere. It is not in cold canonical legislation; it is not by a demanded and reluctantly granted concession upon this point or the other; but it is in the mutual overtures and commingling of hearts that love alike the Lord Jesus that we shall accomplish the adjudication of the great issues that lie in the way of our Church's rapid and Christ-honoring advancement.

We have scarce yet begun to recover from the great shock of that fearful calamity which has visited the beautiful City of the Lakes, that great Venice of the North; we are but just beginning to react from that utter prostration of heart which was consequent upon the news that a great city born in a day was burned in a day. We have seen, as it were, the lurid flames lighting up the sky of half a hemisphere; we have heard of the fire-fiend in livid leaps dashing from roof to roof, and wreathing the homes of thousands with its ghastly garlands, and closing with its crimson clasp upon the proudest monuments of architecture and enterprise. Oh, how the heart of humanity has now opened and poured out the treasures of love and liberality; how from every part of this land affluence and even poverty have sent their contributions to relieve the wants of those who are suffering from the fire-death of a metropolis! Would to God we had power to picture to you that other conflagration, blazing, through not one city or another, confined not to one land or another, but which is winding its fiery folds around the living souls of living men, who wait for the gospel of help, sitting on far distant shores, nay, who are crouching near our very thresholds! Would to God that we could rouse men to the realities of spiritual duty and work, even as we are able to rouse them to the necessities of extending

material help to those who are suffering from temporal calamity. God grant that we may learn a lesson from the great national afflictions to which I allude, and as we are sending our thousands to relieve our suffering brothers in Chicago, oh, let us accept even this sad stimulation upon this great Jubilee day and send our tens of thousands to those who are suffering from penury of soul, and whose hearts are aflame with the conflagration of passion and idolatry.

ADDRESS OF BISHOP TUTTLE.

The Rt. Rev. DANIEL S. TUTTLE, D. D., Missionary Bishop of Utah, Montana, and Idaho, was next introduced, and spoke as follows:

Right Reverend Fathers and Brethren:—A Missionary is one sent. God the Father sent His Son to save us, to save the world. Our Blessed Lord came to save us from sin and bind our hearts to His by His manifested love. Ere He ascended He appointed His eleven Apostles; He sent them: "Go ye into all the world." Ten days after His ascension He sent God, the Holy Ghost, proceeding from the Father and the Son. The Comforter came—came to remain with us here on earth. Since God the Son has gone away, He has left the outward part and the inward part, so to speak, the visible representative and the invisible representative of Himself, here in the world, namely, His Church and the Holy Spirit. I suppose the Holy Spirit, energizing the Church, spiritualizing the Church, vivifying the Church, makes the most complete, the perfect, the true vicar of the Lord Jesus Christ here on earth. A Missionary is one sent. Then the Church is sent to all the world to preach the glad tidings of Christ's love.

Preëminently, then, Bishops are sent as the successors of the eleven Apostles originally sent forth. Preëminently Bishops are sent to speak these glad tidings of Christ's love to all the world. Then all Bishops are missionaries, as was well said this morning; but still some are called, technically, Missionary Bishops, proving thereby that the Church reaches out her hands to send these glad tidings to heathen lands, to new communities, to poor communities, to communities not yet organized into dioceses. I am one of such technical Missionary Bishops.

I have three thoughts to throw out with regard to the human work. Remember it is God, the Holy Ghost, that is Christ's invisible vicar, the true worker of missions on all this earth; but it is the Christian Church that is Christ's outward vicar, bodily visible representative, to preach the glad tidings on the earth, and I am throwing out these three thoughts with regard to the visible work, what the Church is to do. First, I say that, in this technical missionary work that we are doing, by all means send a Bishop, that he may be the preëminently proper commissioned representative of Christ's love to all the sheep scattered upon the hill sides and in the valleys of those distant communities. By all means send a Bishop, that he may go from house to house, from cabin to cabin, to gather in the wandering sheep, to visit them once a year at least, if not oftener, to baptize the little ones, to speak of the love of Christ to ears that for a long time have heard the sacred name spoken in other terms than those of prayer or blessing. Send a Bishop by all means, for two or three practical reasons, moreover.

If the Bishop be in the field he gathers around him, he draws towards him, the help of you of the older

communities. You are willing to trust him as the representative of the work, as the head of the work, as the responsible person in the work, and you are ready to trust him with the means and the life for carrying on the work.

Not only so, but another practical thing: I hold that mere getting money and distributing money, though a very important element, I can assure you, of our missionary work, is by no means all. Practically, I maintain one very important part of our work is to evoke the self-help of the people themselves, and I for one am not willing to go into the town of A, and say to the people living in town A, "I am going to send you a minister very soon; he will be supported from the East; all I ask of you is that you receive him, and after four or five years I shall want your help." Not so; it is an unwise way to proceed. Let the Bishop be there on the spot; let him go and evoke the self-help, evoke the local coöperation and assistance to the fullest degree, not simply as a matter of dollars and cents, but because giving is a part of the Christian life. We have no right to live here on earth and try to do the Saviour's work without giving, any more than we have without praying; and the giving is not all to be done by the rich people, and the giving is not all to be done by the Eastern people; the giving also must be done by the people themselves in the new and the poor communities. For this practical reason I say, also, send a Bishop first, that he may, everywhere that he goes about, evoke the local help.

One other point about a Bishop's going first. He can find this one and that one, indigenous boys, to train up with God's help, always presupposing that God, the Holy Ghost, is the true worker in this matter. He can gather these boys to train them up to be ministers of the Church.

Send a Bishop first for the reason that Christ would prefer you to send one of His immediate representatives, the successors of the Apostles, containing in himself the integrity, so to speak, of the executive authority of the Church, and also for these practical reasons that I have thrown out.

Another thing: Speak the truth in love when we get into our fields. I have two local applications to make of that. First—I have many and many a point in my field where Presbyterians, Methodists, Baptists are helping. Thank God, I number many and many good friends, earnest followers, I think, of the Lord Jesus Christ, belonging to these denominations in my field. Now, when you go among them, with them, especially as you may be the only pastor—I mean by "you" the representative of the Protestant Episcopal Church may be the only pastor in the field—for the Saviour's sake, for love's sake, for the sake of the best interests of the souls of those people, speak the truth. Do not compromise; do not be dishonest; be frank and plain and open and honest; speak the truth, but speak the truth in love.

Now with regard to this speaking the truth I affirm, and I have suggested to my own knowledge this thought, that the Prayer Book services, just as they are now, will teach, used Sunday after Sunday, the full complement of the blessed truth as the Saviour has taught it to us, as the Bible has it written down for us, as the Church embodies it for us; and if you use the Prayer Book services Sunday after Sunday, just as you have them now, in connection with "the Christian Year," for the first year, you will be teaching the truth effectually to those kind,

good, religious, earnest people there, without throwing "the Church" and "the Church" and "the Church" constantly at them every single sermon that you preach.

But let me say that the Prayer Book just as it is now—I give my testimony simply, brethren; it will only pass for the testimony of one laboring among a very few scattered people in the Rocky Mountains, but I give it earnestly and honestly as my testimony)—it is my earnest and honest conviction that the people in my field do not want the Prayer Book services shortened one whit, do not want the Prayer Book services changed one whit. I use the Prayer Book services just exactly as you use them here, only I have a little pamphlet called "Mission Services," and the people respond. I kindly ask all Christian people Methodists, Presbyterians and others who may be in the congregation, to join with us in the service of Almighty God, and they do so; and I have never yet met one single objection to the use of the Prayer Book services in the log-cabins and the lager beer saloons and the parlors and the bar rooms in which I have officiated throughout my field.

One more illustration of this. "Speak the truth in love." I live in Salt Lake City. God helping me I try to speak the truth, and I ask my people to speak the truth without compromising principle; but I also add for my own guidance and for their guidance, "speak the truth in love." Let us look at the practical bearing of this one mode. Suppose we had tried the other mode; suppose we had gone to Salt Lake City, gone to work immediately with controversial sermons on this question, and that question—upon Joseph Smith as a prophet in these modern days, and upon polygamy, upon "the Church of Jesus Christ of Latter Day Saints," and one thing and another, and had begun to denounce, and had preached bitterness, if not bitterness at least contention and controversy—I think, I honestly believe, that we should not be in as good a condition as in God's sight we are to-day. We should have aroused prejudices, we should have shut ears, closed them utterly up against us that are now open and ready to hear. So we have gone through, and, with God's blessing, have tried to feel pity for those poor souls, have tried to love them as brethren, tried to be pitiful, tried to be courteous, tried to remember that they were souls for which Christ died, tried to remember too that there was a good deal of earnest religion among those people, though it is a false religion and a fanatical religion, and that the very worst thing in the world to do in order to convert them from their false religion to our religion, was to begin to denounce and to preach bitterness and contention. Instead, we have tried to drive home the truth, and the Lord has helped us. Driving home the truth, error is at liberty to go out of the window to its own kindred home of darkness with the owls and the bats. The consequence is that in Salt Lake City to-day—I say it with all modesty and humility—we are respected, and we have the confidence of those poor deluded people there among the poor, of whom we have done a great deal of benevolent work. We are respected by the poor and by all the leaders; and having their respect and having their confidence, we are ready in the future, when this institution goes to pieces, as it will in the shipwreck and in the storm, to pick up some few fragments of poor hearts and souls who may want us to bring them

in, by God's blessing, to the harbor of peace. It was better far for us to speak the truth in love there.

One more thought. "The child is father to the man." We have tried to bear that in mind too with regard to all our work, and especially our work in Salt Lake City; that is, we have at once begun the work of schools; we have 300 children, of whom 200 were born in Mormonism, Mormon children in our schools day by day. They meet, repeat the Lord's Prayer, the Creed and a psalm or two antiphonally every morning, and then we have a collect or two from the Prayer Book, and then we go about our honest work of the day with reading, writing, arithmetic, &c. You will allow me to say, as one, in all humility again, that my idea of religious education is not to take the catechism and thrust it down this boy and that boy and that girl constantly on Monday and Tuesday and Wednesday and Thursday, but be a Christian man yourself before your boys, be a manly, frank, open, Christian, God-fearing, Christ-loving and prayerful man before your boys, and give the catechism with proper intellectual religious instruction on Sunday, or, as we do, on Monday morning once in a while, and those children will grow up, in my humble opinion, better educated religiously than if you make a constant intellectual curriculum of so much catechetical instruction day after day throughout the week.

Brethren, we have some hard work to do there. My home is without the father's and the husband's presence for half the year. It is a home in the midst of a fanatical people. God only knows what may be done among them or by them in the future. During the half year that I am away I am among wild, wayward, reckless, wicked people, and there are discouragements, and there are disappointments, and there are anxieties constantly connected with the ongoing of this work; but God, the Holy Ghost, the true Vicar of the Lord Jesus Christ, is doing his work in the hearts and homes of men on all this earth, as well in the far West, as well among the Mormons, as well scattered all over the earth that we know not of, as in your own homes. That is one great comfort for me. I am not alone. God, the Holy Ghost, the personal third person of the Holy Trinity, is there by my side helping on the work in the hearts of mortal men. And I have another great comfort; I am not forgotten by you in the East. I thank God for putting it into your hearts; I thank you for doing it, that constantly in letters and by gifts I have proof that you are interested in our work, that you sympathize with it, that you are ready to help it and carry it on, and I look hopefully, if it be humbly, forward to the time when I and my fellow-laborers may be gathered before the Great King above, and be able to say these words to Him humbly and with a blessed hope and thankfulness in my heart, "Here, our Heavenly Father we are, and these few whom Thou hast given to us."

ADDRESS OF REV. B. A. ROGERS.

The Rev. B. A. ROGERS, of Austin, Texas, was next introduced, and spoke as follows:

Right Reverend Fathers and Beloved:—Your hearts, like mine, are full of joy and gratitude that you have lived to see the day when Greece, and the Rocky Mountains, and Africa, and the islands of the sea, when the world has come here at this gathering of the Church to give thanks for its fifty years of life. You are full of comfort and consolation in your

hearts that from the missionaries and the Bishops you have heard the voices of the world to-day telling you that the banner of the Church and of its Christ is flying from the mountains to the sea and to the ends of the earth, and that everywhere mile-stones have been setting down for fifty years, giving its progress through the world towards His kingdom on high.

And yet these voices of the past are worth nothing to you and to me, only as they nerve us for the future. I do not know why I have been appointed to speak to you to-night, unless it is that the Secretary of the Committee knew that I live in the present and know little of the past; unless it is because he is aware that I am a man of work in my heart, and while I can rejoice over the past it but leads me into the paths of the future. And, perhaps, for one reason more, I am here: because I can speak for the wants of one section of our common Church in our common land, and speaking for the wants of that one section, I have spoken for the like wants of all our western and southern country. Pardon me, if I seem to trespass in to-night's speaking, for in my own country I have always been taught to speak only of what I know.

I am a deputy to-day to this General Convention from the largest diocese on this continent. I am a deputy from perhaps the largest diocese whose inhabitants are civilized and enlightened, in the world. It stretches through eleven degrees of latitude and twelve degrees of longitude. It has 237,000 and more square miles. It embraces as much territory as all New England, N. York, Pennsylvania, Delaware, Maryland, and the two Virginias, combined; and when the Bishop starts on his round, were he to start at the Sabine at the first Church door, and end in a straight line in the West at El Paso, at the door of my Rev. Brother Pays, he would have travelled one thousand miles, as the crow flies.

And I come, beloved, from a diocese that in all its wants is spread out over a country that embraces the climates of the world. In the mountains are the wheat fields, bowing their heads to the sugar-cane growing plantations in the east. In the north the corn-fields are sending their tassels up to the sky, and their fragrance to mix with the cotton boles in the south, and the looms of the world might be fed and kept running forever from the acres of my diocese that are capable of being planted in that fleecy product. One of your great journalists has said that the iron of that diocese would streak the world at ten miles apart. It is enough to say, that this enormous country was once a nation, and that it came to you, not as a State carved out from the territory of the country, but as a free-will gift and spontaneous march of intellect travelling forth into the good that this nation could give it, a sister nation bowing its head at your greatness. And yet that diocese has but twenty ministers, presbyters and deacons, doing the diocesan work in the land. It has been groaning in travail for twelve years, under a burden that it could not endure, until at last it has come to the doors of the General Convention, and asked that 100,000 square miles of its territory may be given back to the Church, that she may take upon her shoulders a burden that it is not able to bear. Why are there to-day but twenty ministers in all that land? Why is it that there is so small a force that if every one of those twenty men were to give each individual week of his life to the visiting of the fami-

lies upon ten square miles, it would take those twenty men nineteen years and more to visit the families of the diocese? Beginning on the Gulf and travelling forth as a band of brothers, at the rate of ten miles to the day, they would have to travel nineteen years ere they could come back and begin anew the visitation that they make this year. Why is this? Is it because there are mountains rising up in the land that no foot can scale? I have ridden from Colorado to the Rio Grande; I have ridden from the mountains to the sea; and I tell you there is no fairer country on the face of the earth, and none of its vast magnitude so easily traversed. Is it because they are a people of barbarians?

They come from the east and the west, from the north and the south, that million of inhabitants; they come from the world stretching beyond the sea, and they have brought the intelligence, and they have brought all that is peculiar to the growth and sentiment of this day to that land, and planted it there. They have a school fund to-day such as no other diocese or State in the Union can equal. It has to-day a stretch of land given to school purposes such as no other State in the Union can equal. It has a common school system that compels every child between six and eighteen years old to go to the public schools for four months in the year, under penalty against its parents. It has an examining committee that allows no man to enter in and take the charge of those children until he has passed a rigid examination both of morals and all that is requisite to the instruction of youth in the arts and in the sciences. This country, that but a few years ago was the home of renegades and murderers and thieves, has to-day a law upon its statutes that makes it penal to carry, either seen or unseen, any weapon of assault or defence, and it has a police that is riding the State to see that this law is enforced—and it is enforced.

Then why is this condition of things I have described to you? I consider myself speaking to the Church at large, and I say it is simply because you have expected its Bishop to do the work that twenty-two Bishops in the States I have named are themselves doing. You have expected him to do a work that requires him to start as it were in the city of Baltimore to go down to the Gulf waters one way ere he is through, and from the city of Baltimore away across the Mississippi another, before he is through. You have asked him to do a work that, if he gave a hundred square miles to each week of his life, and began to-day, supposing there to be a church in the first hundred square miles, and so continued, he would be forty-five years in making his first visitation! You have piled upon this man the world, and then turn around and wonder that he has not carried it, as Atlas is famed to have done.

Is it because he has not done his work? Go with him for the seven months that he travels from place to place, and find that in all these seven months, riding night and day, giving himself neither rest nor the hope of it, he has but visited some sixty odd points, he has but made a little track part way through his diocese, and cannot branch a single foot beyond. In this diocese, as in others, circumstances have placed churches here and there. It was not the work of the Church that gave those churches to the people; but a godly Churchman had come from England, another from New England, another from the West, and another from the South, and sat down here and there, and gathered around them and their

families a few that could be induced to hear until finally they had planted a church here and there, and it has become the duty of the Bishop to visit them, here and there, until he has no missionary to the world at large in his diocese, because every hour of his life is given to that one little track that cannot be seen from shore to shore. Place these ministers in that hundred thousand square miles that they have asked you to relieve them from, simply stretching across it, and they will be one hundred and fifty miles apart.

I am now done upon that point. The wants of that diocese are quoted, because they are the wants of the southwestern world, and because they rest in your hands. When shall we have the Church planted everywhere? Remember that the time has passed by when the missionary can go and say to any people, "Raise me \$600 or \$500, and I will stay with you;" the time has gone by in the necessities of our great western world when the world can be evangelized and the Church be carried to its borders, as this world here has been evangelized and received the Church. We are to ask them simply to give us bread and meat when they eat bread and meat; we are to ask them to give us the ponies that range upon their ranches, as they ride them themselves, that from Monday morning till Sunday night the doors in all the neighborhood shall be open to the travelling missionary, be he Bishop, priest, or deacon, and that he shall go from some great centre, where the Bishop shall have his home, where his church shall be built, where there shall be organized the brotherhoods that are necessary to reach all, where the cloisters shall surround the church walls, that when these men come home after a tour they may rest and study, where the primary schools shall be reared and given free to the world, and then sending them out two by two, or one by one, if it be they shall travel from the mountains to the sea, and from the sea back to the mountains, followed next week by another, and next week by another; and in that way the missionary is supported, and he comes home strengthened in his heart as he has given strength where he has travelled.

Beloved, have I forgotten myself in time? I will make but one single appeal. If you were told that that vast territory were suffering under a famine, that there were but twenty plantations in all its borders that had reared its corn and its wheat, that famine and starvation were staring the people in the face, you would thrust your arms into your pockets to the elbows that you might bring out your richest and heaviest gifts to send them away to a people in want. If behind the sound of fife and drum the serried legions were marching through your streets in chains, you have not forgotten that the women and children from the households would gather their arms full of bread and meat and clothing, and rush by bayonets if it need be, that they might carry relief to those beloved. And yet all these are but wants of time, that pass away with a coming harvest, or with approaching peace. The Church is starving in the land. She is raising her arms in piteous supplication to this great magnificent people, that you may send them men. Will you hear and answer, as at the last day you will have to hear and answer, when Christ shall ask you what you have done.

ADDRESS OF BISHOP WHIPPLE.

The Rt. Rev. Henry B. Whipple, D.D., Bishop of Minnesota, was next introduced and spoke as follows:

It is twelve years ago, beloved, this very day that

my heart was touched and my eyes blinded with tears as I thought of the poor wandering heathen red man. I had bowed my heart and consecrated my life, and received from the Fathers of the Church the office of a Bishop. The venerable Bishop Kemper, who lives in the memory of all your hearts, as he turned aside from the Lord's table said, as he only could have said, "My brother, I pray you never forget that there are heathen men in your diocese that are going down to death without the knowledge of Jesus Christ."

Brethren, I did try to remember it. I did vow to him, whom I trusted was my Saviour, that I never would turn my back upon these poor red men. I cannot give you the history of the Indian mission. It is a history where God has rewarded us in a hundred fold for our weakest efforts. But I will say a word to you to-night, if only to lay a tribute of love on the grave of one of the first Indian missionaries in our Church in this country. His name has passed away from the memory of the Church. He came here sent by the venerable Society for the Propagation of the Gospel. He went and preached Christ to the Six Nations of New York. The Mohawks received the Gospel, and they are to-day in the province of Canada a Christian people. Among the Onondagas he also preached the Gospel. Thank God that after so many years the seed is beginning to bear fruit.— But among the Oneidas, where that seed was watered with the tears and with the prayers of the noble hearted Bishop Hobart, it has borne fruit many hundred fold. The name of which I speak was Andrews.— The incident to which I wish to call your attention is this: A young man sent to the Oneidas as their missionary had often urged an aged heathen man, almost a century in years, that he should yield his heart to the religion of Christ. At last, one day, this old warrior came to the missionary and said: "For years I have felt in my heart that Jesus Christ was the Saviour of all men who needed a Saviour; I will be His child; I will give myself and all that I have to Him." Said the missionary, "I will baptize you the next Lord's Day." Said he whom the missionary thought was a heathen man, "I am baptized; I was baptized when a little child; my parents were Christians; they carried me to the Christian priest that came across the water, and they had the mark of Jesus put upon my forehead; but they died before I received any Christian training;" and when the missionary came to ask some aged people of the tribe, they all bore witness to the fact that this was the tradition of the Oneidas, that this heathen chief had in childhood received Christian baptism. I think, dear friends, it is a very blessed lesson to every father and mother's heart that consecrates their little ones to Jesus.

I will mention another instance of what the world would call failure, but there is no failure in work that is done for the Lord Jesus. You remember that the first missionary in the Diocese of Minnesota, after having pitched his tent on the head-waters of the Mississippi, became a missionary to the Chippewas. You know that that mission was abandoned. This last year an Indian chief came to me more than 150 miles with three other chiefs. He was one of the men that had stood with his tomahawk over that missionary and threatened him with death unless he left the country. He brought to me the war-pipe which, as he said, had been smoked for more than a hundred years by his father and his father's father before they went to war. He said, "The agent told us that if we did not want the Christian missionary among our people, the religion of the Grand Medicine was as good as the

Christian religion, and we were mad with the fire-water, and we drove him away; and it was the darkest day that ever came to the Ojibeways." That mission which seemed to be a failure did not fail.

I cannot to-night gather up all the evidences of fruit which I have witnessed in missionary journeys. I would mention one. I was once followed through the wilderness thirty miles by an Indian woman, who told me this simple story: "My father," said she, "I had a child and your missionary, the tall Christian Chief (as she called him,) baptized my child. He taught that child about Jesus, the Son of the Great Spirit, and the Great Spirit called my child to his home, and for ten years I have heard a whispering in my ear, 'Unless you believe in Jesus Christ you never will meet your child.'" I had just been bereaved myself, and I had heard the whispering, and I told the poor woman, who was weeping at my feet, as I would tell a little child, of the love of Jesus Christ our Savior. The mission did bear fruit.

Within the last few weeks I have visited that Indian mission resuscitated, resuscitated by an Indian clergyman that this same Missionary had taught his first lessons in the Gospel of Jesus Christ.

There are times when I am afraid to witness to unbelieving ears, telling the simple story of what I have seen, of the evidences of the love of God among these poor people; but it happened that on this visitation a gentleman not connected with our communion, a member of the Unitarian religious body, one that had always spoken, if not with disparagement, with doubt of any possibility of fruit among Indian heathen people, was with me. We met on the Lord's Day in a little rude log chapel; there were over one hundred communicants that knelt by the Lord's table. I never have heard in my life, and I never expect to hear, unless I join in that song that no man can hear except them that were redeemed among men, such music as I heard from those Indian Christians; and the first words that my friend said to me as we came out of the log church: "What hath not God wrought." "I would not have believed," said he, "what I have seen to-day if I had heard it from the lips of any human being on the earth."

But I desire to mention one or two facts connected with our Indian missionary work, not to tell you the history of Indian missions. Thank God that history is written in redeemed hearts. But I wish to mention this fact, and, if I had learned nothing else from my efforts for these poor people, I thank God for this lesson—a lesson of Catholicity that no man can learn except in honest, hearty work for the Saviour. I cannot tell you how my heart has been drawn toward all that love the Lord Jesus for their kind sympathy, for their loving gifts, for their earnest prayers. But there are two instances that have touched my heart very deeply. The first is this: The first offering that came into my hands for Indian missions was the gift of some children in an orphan asylum in Africa, given to me by the

Rev. Mr. Hoffman shortly after my consecration, saying that it was the gift of his Christian lambs in that orphan asylum, and that it was for the heathen people in the United States of America. At this last visitation of the Ojibway mission, an offering was received from the Indians. They ask that the minister shall hold the alms basket in his hand, and that each one may bring up his little offering of love and make it a personal gift to the Saviour. Shortly before the service an Indian came to me and asked me if I could change a two dollar bill. He said he wished for two single dollars, and I asked, "What for?" "Why, I want one for my wife and one for myself." "Is this all the money that you have?" He said, "Yes." "Well," I said, "it is too much." The Indian clergyman whispered to me, "It might be too much, perhaps, for a white man, but not too much for an Indian that this last month has for the first time learned that Jesus Christ died for him on the Cross." They brought me an offering—poor, wandering red men—amounting to almost fifty dollars, and they asked that I would send it to the man that had the charge of Foreign Missions to go back again to Africa.

I cannot tell you the history of this Sioux Mission. You have heard of it very often. I shall say a few words when I tell you of those who are going back to missionary labor, concerning its missionary. I say this that the Church to-day has six Indian clergymen; it has almost one thousand communicants who kneel at the Lord's table, who are sitting at Jesus' feet clothed and in their right minds. There are almost 250,000 of these poor heathen who are reaching out their hands asking to have the Gospel of Jesus Christ. When you think of the unnumbered thousands of these poor people whom we robbed of their homes, from whom we took all that could make earth dear, who have gone down to death in their darkness without the knowledge of Christ, have I not the right to ask for your prayers, for your sympathies, for your alms, for Jesus' sake?

GOD SPEED TO THE MISSIONARIES.

Bishop Whipple then addressed the Missionaries about to return to their work as follows (they standing, and the Bishops and the clergy in the chancel also standing:)

At the request of the Secretaries of the two departments of Missionary work, I am requested to read to you the list of those Missionaries, some of whom have come here to keep with us this Jubilee of the Church; others of whom are for the first time to go out to carry the glad story of the love of Jesus to those who know it not.

The first name on the list is that of the Rev. S. D. Hinman. If there is any one on this earth that is my own son in the Gospel of Christ, it is he. In the darkest day that I ever saw on earth, when for three hundred miles my diocese was a track of blood; when our missions were destroyed; when I did not know of one solitary person in the State who could say even a kind word of a wandering Indian, I met my brother. I said to him, "Brother, what is

to be done now?" He responded, "I will go with these people if I go to the Rocky mountains." And I said, "God Almighty go with you, my brother." His faithful wife grew up as a child in our Sunday school.

The next one on the list is one trained in that school of the prophets at Alexandria, who is permitted to consecrate his youthful life to an entirely new Missionary field; and who, I believe, has before him the greatest privilege that God ever gave to any human being, and that is to translate the blessed revelation of God into this heathen dialect, and to consecrate those heathen hearts and homes to the power of the Gospel of Christ. It is the Rev. Owen Dorsey. And there is one who goes with him, one who learned to carry the love of Jesus to the helpless and sick, and destitute by ministering in hospitals,—his own mother.

And then I come on the list to one who, for twenty long years, was a Missionary in China, who, when she graduated from one of our first educational institutions, thought not of the world, but only thought that she might teach the story of Christ's love to those that were perishing, and she said to one of her friends when she first left this country, "If I ever can see one child trained up to a faithful Christian, I shall be overpaid a hundred fold." She lived to see four of the boys whom she first taught to lisp the name of Jesus, preaching Christ in that heathen tongue.

And then I come to two faithful laborers, the Rev. Mr. Thomson and his wife, who for ten years have preached Christ in China, who organized our Chinese hospital; and notwithstanding the terrible privations and sickness that they encountered, they go back with gladness, if need be, to die there for Christ.

And then I come to one, Miss Savery, who for years has labored in that same dear Orphan Asylum that sent the first loving gift for an Indian Mission to the American Church, and who now in God's good providence restored again to health, goes back again to Africa, to tell them again of the love of Christ the Saviour.

And then I find on the list the name of one not of our own race, not of our own kin, but blessed be God there are no castes, no differences of kin in those that through Christ may look up and call God our Father. He was a poor boy educated in his childhood in the Roman Catholic Church, an office boy in the city of New York. He learned first himself the rudiments of education, and after long and faithful study and hav-

ing bowed his heart unto Christ, he sought the ministry of the Church, and in its inferior office he purchased the great degree of the priesthood. I am happy to bear testimony that while in Havana I heard from many foreign merchants and from officers of our own Navy how faithfully he had preached the Gospel of Christ in that distant city. He brought back with him to this country one educated and trained in the Roman Catholic Church who received here at the hands of one of our own Bishops a fresh commission to go and preach the glad tidings of salvation.

Beloved friends, my own brothers and sisters in the Lord Jesus, this Board of Missions have asked me in their name to give you their God speed and their blessing to plant you in the faith of earnest Christian men, that you shall have in your field of labor their loving sympathy, their prayers, and their hearty support. I know the music of loving words. I know, when there is a cloud in every sky, and the way seems rough, and the heart feels weak, how these hearts of ours will reach out the hand, and happily we may feel the beating of a brother's pulse, and catch the music of a brother's voice.

I would tell you of that One who for our sake laid aside His crown of glory, and who although the heir of all things said, "The foxes have holes and the birds of the air have nests, but the Son of Man hath not where to lay his head." Forget this gathered congregation; forget us your fathers in the Lord; sit at this hour at the feet of Jesus; believe He sends through you the message of His love to those who know it not.

I know not what sorrows may cluster around your path; I know not what hard trials may come; I know not but our Church may again owe its sympathies, its alms and its prayers; but I do know that Jesus will never forsake you, that every venture of faith done in his fear, that every cry that goes up from your burdened hearts, His ear will always be open to hear, His hand will always be ready to help. You may not see the harvest, you may die in the very first hours of your work; so the seed falls to the ground, God giveth the harvest. But I do know the day will come, if true to the Christ, when by the very blessedness of your own experience, you will know that they who turn men into righteousness, shall shine as the stars forever and ever. Which may God grant to you, for Jesus' sake. ["Amen"].

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